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THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 4th, THURSDAY the 5th, and FRIDAY the 6th of *December*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

First SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER I.

LONDON:

Printed, and ſold by C. NUTT, at the *Royal-Exchange*. 1745.

[Price Six-pence.]

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, the Right Hon. the Lord Chief Juſtice WILLES, Mr. Juſtice WRIGHT, Mr. Juſtice ABNEY, Mr. Baron CLARKE, Sir SIMON URLING, Knt. Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
Edward York,	*Benjamin Timbrel*,
Joſhua Barrett,	*John Luttman*,
Henry Clark,	*John Barlow*,
Thomas Wheatley,	*Erneſt Barnard*,
Samuel Meriton,	*William Perrit*,
Elmer Stokes,	*Iſaac Hancock*,
James Multon,	*William Greening*,
James Wagſtaff,	*William Seacall*,
John Williams,	*William Godfrey*,
John Skinner,	*Thomas Morris*,
George Oldner,	*John Wilkins*,
John Gray.	*Roger Blackgrove*.

1. **Richard Hambridge**, was indicted for ſtealling from Mr. *Thomas Mears* 17 *l.* 2 *s.* 6 *d.* and other Things, on the 25th of *November* laſt.

Thomas Mears. He was my Apprentice, and is about 15 Years of Age. On the 25th of *November* he run away: My Wife ſaid that he had robb'd me: I went up Stairs to look into the Drawers, and miſs'd the Money and Goods. There were 13 Guineas and a half, a 36 Shilling Piece, five Half Crowns, a Punch-Ladle, ſix Silver Spoons, eight Razors and two Wigs. My Man went in Purſuit of him. About 11 or 12 o'Clock at Night he (the Priſoner) came to my Door, and ſeem'd to be ſorry for what he had done; I had almoſt all my Money and Goods again: The Conſtable took them from him, and I ſaw none of my Goods in his Poſſeſſion: They were all taken from him before I came Home, which was a little after 12, and I had no Converſation with him afterwards that Night.

Q. In what Part of the Houſe was your Money?

Thomas Mears. It was in a Cheſt of Drawers in the Back Room.

Q. Were your Drawers broke open?

Thomas Mears. No, my Lord.

William Browne. I am a Conſtable of *Trinity* in the *Minories*, and I was out to ſearch for this Boy three or four Hours, and could find nothing of him. We ſhut up the Gate of our Pariſh, and I told the Watchmen, if any ſuch Boy was ſeen by them, to lay hold on him; for this Boy had been ſeen by one of the Watchmen. I laid hold on him, and found upon him ſix Silver Spoons, this Punch Ladle, a Portugal 36 Shilling Piece and the Guineas and half Guinea, two Perriwigs and ſeven or eight Razors, which I gave to Mr. *Mears* before he came Home. He (the Priſoner) was aſk'd how he came by theſe Things, and he ſaid he took them out of the Drawers.

Priſoner. He had nothing to ſay in his own Defence. Guilty.

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2. **John Race**, was indicted for ſtealing a Silk Handkerchief and a Silver Spoon, the Goods of *James Hawkins*, *November* 4.

Q. James Hawkins, where do you live?

James Hawkins. At the *Queen's-Head* near *Whitechapel Church*. The Priſoner wanted a Lodging, and deſir'd to lie at my Houſe, even if it were with my Soldier. He call'd for a Pint of *Hot-Pot*. I told him that the Soldier was upon Duty, and

and he might lie in the Soldier's Bed. I locked up my Till, in which there were ſome Keys and a Silver Spoon; but in the Morning I found the Till broke open and the Spoon gone. There was no Body elſe in the Houſe that I could ſuſpect: Accordingly we took him up, and carry'd him before Juſtice *Rickards*, and there I found a Handkerchief of mine within the Lining of the Crown of his Hat, and it was mark'd with my Name. This is the Handkerchief that was found upon him before the Juſtice.

Q. What is the Value of the Handkerchief?

James Hawkins. I value it at one Shilling.

Priſoner. When I was ſearch'd by the Proſecutor, he had my Hat in his Hand a Quarter of an Hour.

James Jaſper. I am a Carpenter: I work'd for him (the Proſecutor) and I came about a Quarter before Five o'Clock, and knock'd him up; and I went backwards and found the Till open, and aſk'd him, how it came to be ſo? He deſir'd me to ſtay a little, and we ſearch'd the Priſoner, and found nothing upon him then; but the Handkerchief was found afterwards in the Crown of the Hat-Lining.

Elizabeth Perfect. My Lord, I live at Mr. *Hawkins*'s. This Man (the Priſoner) came up to go to his Bed, and came into my Room, which ſurpriz'd me very much; and after he went out of my Room, he walk'd up and down Stairs, with a Light in his Hand, bare Foot; and the next Morning I heard that Mr. *Hawkins* was robb'd.

Priſoner. The Woman tells wrong; I did not go out of my Room, nor walk bare Foot.

John Bird. I went to Work and was taken ill. I live over-againſt Mr. *Hawkins*'s; and Mr. *Hawkins* told me he had been robb'd, and he ſaid, of a Silver Spoon.

Priſoner. I know no more of that Handkerchief than the Child unborn. When I came down I was ſearch'd; and my Hat was ſearch'd; and when they came before the Juſtice, they took off my Hat, and the Handkerchief was found, as ſaid; but how it came there, I know no more than the Child unborn. I have no Witneſs here; the Regiment is march'd down to Scotland. Guilty.

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3. **John Maſon,** was indicted for ſtealing a Bank Note of 20 l. the Property of *Elizabeth Matthews.*

Elizabeth Matthews. The Priſoner at the Bar was my Footman. I had a Draught of 50 l. upon Mr. *Neal*, my Son-in-Law, and I ſent the Priſoner with the Draught to Mr. *Martin*'s, the Banker, ordering him to bring me two 20 l. Bank Notes and 10 l. in Money; and accordingly he brought me back the two Bank Notes and ten Pounds in Caſh for the Draught. I was not very well. I was at Mr. *Neal*'s Houſe in *Million-Bank*, and he brought me the Notes up into my Daughter's Chamber: I put them into my Purſe, and the Purſe into my Pocket. When I came Home I lock'd them up in my Buroe, in my own Bed-Chamber. This was over-Night; and the next Morning the Priſoner came up to know my Orders, and I had Occaſion to ſend him to the Toy-Shop: He came cloſe to my Dreſſing-Table to have his Order; I got up and went to my Buroe to take my Purſe and give him the Studs that were in it; I turn'd my Purſe inſide-out upon the Table, Money and Notes——

Q. Did you ſee the Note at that Time?

Elizabeth Matthews. Yes, my Lord. I did this to find the two Studs that were at the Bottom of the Purſe. After this, I put the Money again into the Purſe, and going to put the Notes in, ſaid I, Here is but one Bank Note; the other Note was gone. Look, Madam, ſaid he, is it not upon the Ground? Well, we ſearch'd diligently, but it could not be found. I look'd, and ſaid it was not on the Ground. I did not charge him with taking it, nor miſtruſt him, as he had liv'd with me between two and three Years. I ſent him into the City to Mr. *Neale*'s, to know whether it did not ſlip out of my Hand in putting them into my Purſe; but there was none found there. After this he (Mr. *Neal*) went with me to the Bank, to ſtop the Payment of the Note: The Priſoner alſo went there with me. Then I thought no more of it.

Ebenezer Blackwell. This was a Draught for 50 l. upon Mr. *Neal.* The Bearer of it was one *John Maſon*, who brought it from Mrs. *Matthews*, and he had in exchange two Bank Notes of 20 l. each, and 10 l. in Money. And this Bank Note does exactly correſpond with the Bank Note then given; for we enter the Number, Date and Sum of every Note coming in or going out. This Note being ſtolen, was brought to me: I examin'd it by our Books, and found it correſpond with the Number, Date and Sum of the Entry thereof paid unto Mr. *Neal*'s Draught; and becauſe I would be ſure it was right, I put the ſecond Letter of my Name.

Q. From whom receiv'd you this Note?

Ebenezer Blackwell. From a Clerk of the Bank: Mr. *Neal*'s Clerk was with me firſt of all.

Q. Madam, are you ſure that this is the Priſoner's Hand-writing?

Mrs. *Matthews.* Yes, I have ſeen him write ſeveral Times, and I am ſure it is his own Hand-writing.

Hinckley

Hinckley Phipps. The Priſoner, my Lord, came to my Shop in *Cheapſide:* I am a Linnen-Draper, and he came and bought Cloth of my Man to the Amount of 2 l. 13 s. after which he preſented the Bill to my Man and deſired Change, and truly I did not care to change it for ſo little Money being laid out: But, however, I bid my Man run down with it to the Bank, and ſee whether it was a good Note. But my Servant returning, tells me that the Payment of it was ſtopt at the Bank, which I immediately acquainted the Priſoner with, and told him that I would go with him to the Bank, to know the Reaſon of it. As we were going along I aſked him about his receiving it, and he ſaid that he receiv'd it of one *Sands*, a Barber in *Holborn*; and he ſpeaking broad, I aſked him whether he was a *Scoth* Hair Merchant? and he ſaid that he was, and that he had given for the Bank-Note 12 l. in Hair and 8 l. in Money. He was then well dreſs'd, like a Merchant; he had on a Snuff-colour'd Coat, a Silk Waiſtcoat of the ſame Colour, and a white Wig. He gave in his Name at the *Bank*, *Thomas Turner*; the Clerk aſked him ſome Queſtions, how he came by it, and he told him the ſame Story that I have juſt related to your Lordſhip. He ſaid his Name was *Turner*, and that he lived at the *Blue Boar* at *Turn-Stile* in *Holborn*. My Lord, I did believe him to be entirely innocent to the laſt Degree, for he had a very ſteady Countenance and an Air of Honeſty; and therefore I offer'd my Service to go along with him to Mr. *Neal*'s, to know the Reaſon why the Note was ſtopt, for it appear'd at the *Bank* that it was ſtopt by Mr. *Neal*. He made no Scruple to go to Mr. *Neal*; but as we were walking along in *Lombard-Street*, I turn'd about to ſpeak to him, and he was gone. Mr. *Neal* lives in a Court in *Lombard-Street*. When I miſſed him then, I was reſolved to go to Mr. *Neal*'s, where deſcribing the Man, they thought the Deſcription anſwer'd to Mrs. *Matthews*'s Footman, and they told me that he was to go to live with Dr. *Jurin*. I afterwards ſaw him, and knew him to be the Man that brought me the Bank Note, and he confeſs'd it before Sir *Thomas De Veil*.

Q. Well, Sir, can you ſwear that this is the ſame Note?

Hinckley Phipps. It is the ſame Number, but my Knowledge may not amount to a ſufficient Teſtimony to ſwear; yet I verily believe it is. The Priſoner ſaid at Sir *Thomas De Veil*'s, that he brought this Bank-Note to me: He ſaid there that he took it off of the Ground; and before he ſaid, that he had it of a Barber in *Holborn*. He denied for two Hours together at Dr. *Jurin*'s, that ever he ſaw my Face, and with ſuch a ſteady Countenance that I never ſaw the like before in all my Life.

Thomas Green. The Priſoner, on *Saturday* was a Fortnight, bought *Iriſh* Cloth to the Value of 2 l. 13 s. and after he bought it, he gave me a Bank Bill for Change: I carried it to my Maſter in the Counting-Houſe, and he ſent me down to the *Bank*, to ſee whether it was a good Note.

Q. Was that the Note?

Green. I can't be poſitive that that was the Note.

Q. Are you ſure that the Priſoner at the Bar did buy the Cloth?

Green. Yes, very ſure. I am a Servant to Mr. *Phipps*. I know that I carried the Note to the *Bank Saturday* was a Fortnight, and found the Payment of it ſtopt.

William Cutler. I am a Clerk at the *Bank*. This Note was brought to me, and he that brought it ſaid he came from Mr. *Phipps*. I told him it was a ſtopt Note, and aſked who he took it of; and he ſaid there was a Perſon in his Maſter's Shop that brought it, and I told him he muſt bring the Perſon to the *Bank*, that he might make out his Claim to it. Mr. *Phipps* and the Priſoner, I believe it was, came to the *Bank*, and I went up with them to the Secretary; and Mr. *Phipps* ſaid that he would go along with him (the Priſoner) to Mr. *Neal*'s. He ſaid at the *Bank* that he ſold ſome Hair to a Barber, and gave him 8 l. in Change out of the Note; upon which they went away to Mr. *Neal*'s. This Note has been in my Cuſtody ever ſince the 16th of *November:* This is the very Note, and it has been in my Poſſeſſion ever ſince: Shew it to *Ebenezer Blackwell*.

Ebenezer Blackwell. This is the Note that is in our Book.

Q. How does it appear that this is ſtopt in Payment? Do you remember the Time of the Entry, and by whom enter'd?

Blackwell. By the Secretary's Clerk: It is a Bank Note enter'd in the Books of the Bank.

Mr. *Morris.* I am Caſhier of the *Bank:* I know nothing more of it, than that this is a Bank Note ſigned by me.

Priſoner. I don't very well know how I came by it, but I took up this Note with another Piece of Paper, and put it into my Frock-pocket, but did not know at all that I had it.

Q. But when you found it, why did you not carry it to your Miſtreſs, inſtead of going to the Shop to buy Goods?

John Brown. I have known the Priſoner at the Bar theſe nine Years; he has a very honeſt Character. I keep a publick Houſe in *Newport Market*.

William

William Dixon. I have known the Priſoner about ſeven Years, and he has a very honeſt Character. Guilty.

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4. **William Hales** and **Robert Skeen**, were indicted for the Murder of *William Huff*, on the 30th of *Auguſt*.

Elizabeth Huff. My Lord, I have no more to ſay, but that my Huſband died in the Infirmary in *Goodman's-Fields* the 14th of *September*. My Huſband was a Wheelwright, and was making a great Wheel. I ſaw him at work about a Quarter of an Hour, and I went home that Night. He came Home very much wounded, and I aſked him how it happen'd; and he ſaid two Men came into the Shop (the Priſoners at the Bar) and they threatned his Life. The Wound, I believe, was an Inch and a Quarter broad and long; he bled very much; I got him a Pennyworth of Diaculum, and ſcraped ſome Lint, and made a Plaiſter, and put it on, and put him to Bed; and I put a Sheet under his Leg: He bled very much, and had no Sleep that Night, but was Light-headed. There was among the Wheelwrights a Confederacy, or a Combination; and theſe were thoſe that threatned both Maſter and Man; and they ſaid that they would do it for them, and they doubled their Fiſts; and *William Hales* and *Robert Skeen* had before threatned him. The Day that theſe two Men came into the Shop, he borrow'd 18 d. and ſpent a Shilling upon them, and they went away. After this they came again, and aſked him to go out with them, but he would not; and they wanted Small Beer, but he would not give them any, but gave them three Half-pence to buy a Pint of Beer. As he was at work his Adze fell upon his Knee, and cut him much; and *William Hales* ſaid, Madam, I have made your Man cut himſelf, give him a Plaiſter.

Q. What ſaid t'other?

Elizabeth Huff. *Robert Skeen* ſaid, that he was ſorry that he came into the Shop. My Huſband declared all this to me upon his Death-Bed, and he ſaid it was the Cauſe of his Death; and I aſked him, whether he thought it was wilful, and he ſaid it was.

Q. Did you hear any Thing of your Huſband's being preſs'd for a Soldier?

Eliz. Huff. I heard there was a Wheelwright that would have had him preſs'd.

Mary Brown. One of them (the Priſoners at the Bar) ſaid that he (the Deceaſed) ſhould go for a Soldier: Several Oaths paſſed between them, and preſently my Maid ſaid that *Huff* was cut, and there was a great deal of Blood, and that one of them ſaid to *Huff*, I am ſorry that I made you cut yourſelf. He (the Deceaſed) came and laid his Leg at my Door, and I got ſome Brandy and fine Sugar for him; and he ſaid, It is hard for me to be cut, and I believe it will be my Death; they ſaid that I ſhould not finiſh my Work. There was the next Morning a great deal of Blood; and ſome Hours before he died he ſaid, I ſhall never live to ſee another Day, but I hope that God and you will right my Wife.

William Boſworth. I accidentally went into Mr. *Brown*'s Shop, and when I came in I heard raſh Words; and I heard one of them two (the Priſoners at the Bar) ſay, God d—n his Blood, I believe I have cur'd him for to-Day.

William Hall. I thought I heard one of them ſay, that he was very ſorry; and the other ſaid, God d—n his Blood, I have cur'd him for working to-Day. Mr. *Brown* not being at Home, I went away as faſt as I could.

William Brown. I came Home at about 11 o'Clock at Night, and went down early in the Morning, and the Room was very bloody; and I enquir'd who did this, and they ſaid the Priſoners at the Bar. They had ſeveral Times threaten'd him that he ſhould not work, becauſe they are in a Combination to raiſe the Price of their Wages; and they ſwore that they would ſoon cauſe him to leave Work.

Q. *Philip Barton*, what have you to ſay?

Philip Barton. No farther than what he (the Deceas'd) ſaid unto me: On the 10th of *September*, I ſaw him at the Infirmary in *Goodman's-Fields*, and I aſk'd him what they ſaid of his Wound, and how it happen'd? He ſaid one (of the Priſoners) was ſorry, and the other ſeem'd glad, and that he ſaid, Madam, I have made your Man cut himſelf.

John Hanſon. I did apprehend that I ſhould have no Occaſion to come here, becauſe he (the Deceas'd) ſeem'd to ſay that it was accidental.

Q. *Henry Stephens.* Do you know the Priſoners at the Bar; did you know the Deceas'd?

Henry Stephens. I work'd for Mr. *Brown* at that Time, I was at work juſt by him, and theſe two Men came into the Shop, and ſeem'd to be in a good Humour, and ſaid, we muſt all go for Soldiers; and two Days before we had a great deal of Talk of their Exerciſe, and that in a good Humour. The Deceas'd went up and ſtood by him on his right Hand, and *Skeen*, after he had been joking about going to *Flanders*, aſk'd if they had any Beer; and he found a Pot.

Q. Were they Friends before the Stroke; did you ſee any of the Priſoners do any Thing to the De-

ceas'd; was you at any Time in Company with them after the Wound and before his Death?

Henry Stephens. The next Morning after he came unto the Shop.

William Hales and *Robert Skeen* both acquitted.

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5. **Elizabeth Newberry**, was indicted for picking the Pocket of *William Counsel* of his Watch, *Auguſt* 28, and *Suſanna Newberry* for receiving the ſame, knowing it to be ſtolen.

William Counſel. I loſt my Watch the 28th of *Auguſt*, at or near *Exeter-Exchange* in the *Strand.* I muſt confeſs that I was very much in Liquor. It was about Eight or Nine o'Clock at Night.

Q. How came you by it again?

William Counſel. It was found upon the Eldeſt at the Bar: it was taken from her the 4th of *November* at her own Houſe.

Elizabeth Lloyd. The young Woman at the Bar aſk'd me to go out with her that Night——

Q. What Night?

Elizabeth Lloyd. I don't know.

Q. What Time of the Night?

Elizabeth Lloyd. About Eight o'Clock. And we went into the Street, and we met this Gentleman at the End of *Exeter-Street.*

Q. What was you to go out with her for?

Elizabeth Lloyd. We were to go a-whoring together.

Q. In what Manner was the Gentleman familiar with her?

Elizabeth Lloyd. They were talking together, and the Gentleman took his Watch out of his Fob, and put it into his Coat-Pocket. I ſtood cloſe by her, and there was Light in the Street by the Lamps, and I ſaw her put her Hand into his Coat-Pocket and take it out; after that he fell down by a Blow that ſhe gave him, he being much in Liquor. She went to her Mother, and her Mother gave her 40 Shillings for the Watch.

Q. What Diſcourſe was there between the old Woman, her and you?

Elizabeth Lloyd. It was all about picking the Gentleman's Pocket. Sometime after this, it (the Watch) was read in the Advertiſer, and there was a Guinea and a half Reward for them that would bring it.

Q. You ſay the Mother gave 40 Shillings for it?

Elizabeth Lloyd. Not that Night, but the next Day.

Q. Who was by?

Elizabeth Lloyd. None but the Mother, ſhe and I.

Proſecutor. The Watch coſt me four Guineas at ſecond Hand. I have had it four Years.

Q. What do you think it worth? Can you pawn or ſell the Watch, or ſuch a Watch as this, for more?

Proſecutor. Indeed, I am no Judge of the Value of Watches.

——— *Barnes.* The Night that the Proſecutor loſt his Watch, he ſaid he had been robb'd of his Watch and ſome Silver; and the Gentleman came the next Day to advertiſe his Watch: He ſaid he would give a Guinea and a half; and then we heard no more of it 'till this young one was committed to the Gatehouſe.

Proſecutor. She ſent a Perſon to tell me, that there was a Perſon in the Gatehouſe that could help me again to the Watch: She ſaid, ſhe was concern'd with a Man, and if you are the Man, you have loſt ſomething elſe beſides your Watch. I told her that I had a Leaden Shilling in my Pocket, that I took a Day or two before. Then ſhe ſaid, you are the Man that I robb'd. Accordingly ſhe ſaid that ſhe would make an Information, and ſhe did before Sir *Thomas De Veil*, and he gave a Search-Warrant to ſearch the Mother of this *Newberry*: She is the Huſband's Mother. Having the Warrant, we went into the Room, and he [*John Bolton*] ſearch'd the old Woman's Pockets, and ſaid I believe I have got it; And he ſaid, Sir, is this your Watch; and I ſaid, if it is open'd I can tell, becauſe the Name is *Stone*, which Name ſomebody had endeavour'd to eraze out: We took it away. The old Woman ſaid it was her Son's Watch; and the Daughter ſaid that ſhe had fetch'd it out of Pawn, and that it was her Huſband's Watch.

Priſoner Elizabeth. She ſaid there was none but ſhe and I when ſhe made the Information. Aſk her what the other Perſon's Name was?

Elizabeth Lloyd. Pain.

Q. What Day advertis'd?

Elizabeth Lloyd. The 30th of *Auguſt.*

Q. When ſtolen and bargain'd for?

Elizabeth Lloyd. The 28th and paid for the 29th.

John Bolton. I had a Search-Warrant to ſearch her Houſe, and in the old Woman's Pocket I found it (the Watch) ſew'd up in this little Bag.

Priſoner Elizabeth. My Lord I met this Evidence, and ſhe ſaid to me will you go and drink a Pint of Beer? and there was a Soldier with her, and we went to drink, and the Soldier pull'd out the Watch, and he ſaid, Go and pawn this Watch; and they offer'd 15 s. for it: and I ſaid, I know where to ſell it for more Money. This Evidence has charg'd me with a Pair of Ear-rings: She wants to ſwear a Street-Robbery upon me.

Priſoner

Priſoner Suſanna. I bought this Watch of the Evidence and this Woman: She ſaid to me, Mother, will you buy my Huſband's Watch? and I bought it, and borrow'd Part of the Money; and I pinn'd it up, and ſaid, It ſhall not be ſeen 'till I ſee my Child's Face.

Jury. We deſire to underſtand clearly the Time when advertis'd, to the Time when it was found in her Pocket.

A. Loſt the 28th (*Auguſt*) bought the ſame Night, paid for the 29th and advertis'd the 30th, and found in her Pocket the 4th of *November*.

Q. Did you know that ſhe ſent for the *Advertiſer*?

A. I heard it read the Day that it came out; it was the ſecond Day after the Robbery; and in reading it ſhe fell a-crying, and ſaid that ſhe had a good Mind to carry it (the Watch) to Mr. *Counſel*; and her Daughter ſaid ſhe might do what ſhe would.

Mary Swimbowl. Mrs. *Newberry* came to me, and deſir'd to borrow a little Money, for her Son had been extravagant, and his Watch lay in Pawn, and ſhe was willing to have it, to remember him. Well I lent her what ſhe deſir'd: If it had been the whole 40 Shillings, ſhe ſhould have had it. I keep a Butcher's Shop, went to carry out Meat, and call'd in at her Houſe. I ſaw the Watch, and ſhe kiſs'd it, and ſaid it ſhould be the laſt Thing that ſhe would part with. I have truſted her with five or ſix Pounds at a Time.

Pearce Lewis. I live in the ſame Houſe. I came down for a little Water; I went into the Room, and the Woman was ſelling her the Watch.

Q. What Time?

Lewis. It was about Ten o'Clock in the Morning; and ſhe ſaid it was her Son's Watch, and ſhe was willing to have ſomething to remember him, if ſhe never ſaw him any more.

Elizabeth Bird. I lived with her five Years Apprentice: She has a good Character.

Thomas Brown. I have known her ſixteen Years, and never knew any Thing amiſs in her Character.

Daniel Watſhoe. I have known her three or four Years an honeſt Woman.

Elizabeth Newberry, Guilty. *Suſanna Newberry*, Acquitted.

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6. **John Barton**, of the Pariſh of St. *Luke*, was indicted for ſtealing 95 Pounds of Lead, on the 15th Day of *November* laſt, the Goods of *Samuel Stephenſon*.

Samuel Stephenſon. The Priſoner at the Bar is a Saſh-maker by Trade, and I had many Times loſt Lead, for he worked for me two or three Years. I began to be ſuſpicious of him, and I told my Plummer, Mr. *Bate*, that I had loſt great Quantities of Lead. Mr. *Bate* comes one Day and tells me of Lead that was bought of one *Elizabeth Richards* in *Grub-Street*, and that he did believe it to be mine.

Leonard Crowder. He (the Priſoner) was a Servant to Mr. *Stephenſon*, and he lay at my Houſe; and Mr. *Stephenſon* loſt a great deal of Lead, a great deal at a Time, and for that Reaſon the Maſter told (deſired) the Plummer, that if any came to his Houſe, he would ſtop it.

Elizabeth Richards. The young Man ſold the Weights to me; I don't remember how much.

Q. When did he ſell you them?

Elizabeth Richards. I think it was in laſt *November*, and among them Pieces of Weights there was one Braſs. I aſked him how he came by them? he ſaid they were his Perquiſites, and I aſked no further Queſtions.

Q. What did you give him a Pound for them?

Richards. A Penny a Pound.

Another Evidence. Our Maſter gives 13 s. a Hundred Weight.

Priſoner. In his own Defence ſaid, That theſe Pieces are the Journeymen's Perquiſites, and he never wrong'd any Perſon in his Life of a Pin's Point. Guilty.

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7. **B—— J——**, was indicted for ſtealing 20 lb. of Tobacco out of the Ship call'd the *Reſtoration*, the 11th of *November*.

Thomas Eaſt. I ſaw the Priſoner bring it (the Tobacco) out of the Hatch-Way on the 11th of *November* about Six o'Clock at Night, and I believe there was 20 lb. Weight.

Q. Where did the Ship lie?

Eaſt. It lay at *King James's Stairs* near *Shadwell*, and he had it (the Tobacco) in an Apron; it was a large Bundle. The Priſoner is a Sea-faring Man, who works by the Day.

——— *Rickſon.* I carried him to *King James's Stairs*, and he went away with it, and there was, I believe 20 lb.

William Willſon. I carried him twice with Bundles of Tobacco.

Priſoner. In his Defence ſaid, that the Men were drunk, and that he never carried any Tobacco aſhore. Guilty.

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8. **Mary Clark**, was indicted for ſtealing a Fuſtian Frock, value 5 s. the Goods of *Joſeph Hocker*.

Joſeph Hocker. I loſt a Fuſtian Frock laſt *Saturday* was a Fortnight. Coming out of my Room, this

this Woman came down one Pair of Stairs, and ſhe aſk'd for one *Clark*, a Waſherwoman; and ſeeing a Bundle in her Lap, I laid hold of her Cloak, and ſhe threw the Things down before me.

Priſoner. Could ſay nothing in her own Defence. Guilty.

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9. **Margaret Smith,** was indicted for ſtealing a Waiſtcoat and Breeches, on the 6th of *November*.

James Webſter. This Waiſtcoat and Breeches were the Property of a Gentleman that I worked for, and they were ſent to a Gentleman's that keeps a Publick Houſe; and this Girl was a Servant, and the Waiſtcoat and Breeches were found upon this Girl. Guilty.

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10. **Elizabeth Gardner,** was indicted for ſtealing a Gown, value 2 s. on the 2d Day of *November*.

Joſeph Pitcher. My Lord, about Eleven o'Clock I heard a Noiſe at my Door in St. *Giles*'s in the *Fields*, and I looked out and *Elizabeth Gardner* came up and ſaid, that there was a Woman very ſick, and that ſhe wanted a Lodging: I aſk'd her, how ſhe came out of her Lodging, and ſhe ſaid that ſhe wanted Money. This *Gardner* wanted to take her away to her own Lodging, for ſhe ſaid the Watchman would be about by and by, and I was afraid that ſhe would take her Clothes away. She had two Shifts. This was about Twelve o'Clock at Night. After this ſhe carried her into *Brown*'s Gardens, and this was the 2d of *November*; and ſhe was at the Door, and no body with her but *Eliz. Gardner*. I thought no more of it. I know this *Gardner* very well. I know nothing what became of the ſick Woman, until I heard that ſhe was in the *Round Houſe*, and that the Coroner had ſat upon her. I know that this Gown was upon the Woman that is dead.

Daniel Porter. This ſtrip'd Cotton Gown was brought to be pawn'd to our Shop for 2 s. by one *Mary Ditty*, who ſaid it was her own Gown.

Q. Do you know any more?

Daniel Porter. Yes, ſhe ſign'd her Confeſſion at Sir *Thomas De Veil*'s.

John Holland. On the 2d of *November*, opening my Father's Shop in *Brown*'s-*Gardens*, there was a Woman ſtripp'd of her Gown, with a Handkerchief ty'd round her Mouth, and ſhe was dead or dying; ſhe was warm yet; ſhe at that Time was ſtripp'd of her Gown.

Q. Do you know any more of this Affair?

John Holland. She had on a Pair of leather Boddice.

Thomas Cartwright. I was ſent for to take the Woman away, and carry'd her to the Round-Houſe; After that, I went into Holborn, to ſee a Man ſtand in the Pillory that Day. This Gardner had confeſs'd that this Gown had been taken off the Back of the Deceas'd, and that ſhe gave it to a Waſherwoman to waſh. Guilty.

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11. **Mary Parſons,** was indicted for ſtealing three Linnen Sheets, and a Horſewhip, *November* the 10th, the Goods of *William Green*.

William Green. My Lord, I live at the *Angel* in *Monmouth-Street*. On the 10th of *November* I loſt three Linnen Sheets, and they were all up one Pair of Stairs in the back Room upon the Bed, and the Whip lay in one Corner of the Room. About one o'Clock at Noon I went to Dinner, and before I had done, the Girl comes and tells me I was robb'd. I met the Priſoner at the Door; I went for a Conſtable; when the Conſtable came, I gave Charge, and the Conſtable did ſearch her, and he found the three Sheets and Whip, my Lord, upon her in an Apron.

Martha Mills. My Lord, I live with Mr. *Green*; I am a Servant: I ſaw the Priſoner laſt Month between One and Two o'Clock in the Day with a Bundle in her Apron: She was ſtopp'd.

Q. Do you ſee the Priſoner at Bar?

Thomas Cartwright. Yes, my Lord, and I know that theſe are the very Things that were in her Apron.

Priſoner. Said in her Defence, that ſome Body inticed her up Stairs, and gave them to her, and that ſhe was much in Liquor. Guilty.

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12. **Catharine Bradley,** was indicted for ſtealing a Shirt, the Property of —— *Bowler*, *Nov.* 23.

Anne Colſtone. My Lord, I know her (the Priſoner) very well: She is my Neighbour. She came on a *Saturday* Morning; I am a Waſherwoman, and ſhe came to help me to iron, and ſhe took a Shirt from me the *Saturday* before laſt, a Shirt of Mr. *Bowler*'s, and ſhe ſold it in *Monmouth-Street*.

Q. How do you know that it was Mr. *Bowler*'s Shirt?

Colſtone. There is a Mark upon it, a little Bit of Blue, and ſhe confeſs'd it before Juſtice *De Veil*.

Jane Bowger. I live in *Monmouth-Street*; I ſell and buy Linnen.

Q. Did you buy any Thing of the Priſoner at the Bar?

Bowger. I bought this of her laſt *Saturday* was a Fortnight; I gave her 3 s. I took her for a very honeſt Woman.

Priſoner.

Priſoner. They would have ſworn to another Shirt; they don't know the Shirt.

Colſtone. This is the Shirt that Mr. *Bowler* loſt; I am certain of it, for I made it; there is a little Hole at the Bottom of it; it's *Iriſh* Cloth, it's almoſt new, it was made about laſt *June*.

Q. How much may ſuch a Shirt as this be worth?

Colſtone. It may be worth Ten or Eleven Shillings, but I can't ſay exactly, becauſe my Maſter bought a whole Piece.

Priſoner. Had nothing farther to ſay in her own Defence. Guilty.

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13. **Amey Brown**, was indicted for ſtealing a Silver Mug, value 50 s. the Property of *Daniel Stephens*, *Nov.* 6.

Daniel Stephens. My Lord, I live at the Sign of the *George* in *New Priſon Walk* in St. *James*'s *Clerkenwell*, and I loſt a Silver Pint Mug out of the Chimney Corner in the Back Room, and I ſaw it five Minutes before I miſſed it: I miſſed it directly; it was the 6th of *Nov.* about Ten o'Clock at Night.

Q. Did you ſee the Woman take it?

Stephens. No; the Woman was ſelling Muſles; the Minute before ſhe came in to ſell the Muſles, I went out, and juſt as I came in again, I miſſed it; I charged her with it, and ſhe denied it; I ſent for a Conſtable, and ſhe ſaid, if I would not proſecute I ſhould have the Mug again; and ſhe carried me and the Conſtable about twenty Yards from my Houſe into the Church-yard, and ſhe bid me feel in ſuch a Place, and I ſhould find it: Accordingly I did. She ſaid ſhe did not take it with a Deſign to keep it; but, my Lord, this is the very Mug, and there is ſome of the very Mould in it now.

[Here the Priſoner was very troubleſome to the Court, called Names, as Son of a B——ch, &c. and ſaid that the Proſecutor wanted to lie with her, and to make her Huſband a Cuckold; and ſaid aloud, God d——n him, and behaved, in ſhort, like a crazy Woman.]

Q. To Sarah Barber. What do you know of this Woman?

Sarah Barber. She has been my Chare-Woman many Years, and ſhe has look'd after me in two or three Lyings-in, and I always found her to be a very honeſt Woman: She has been out-of-the-Way ſometimes, I believe out of her Senſes; ſhe has a young Child ſucking at her Breaſt, and ſhe is an induſtrious Woman and takes in waſhing.

Roſamond Crawley. My Mother and I have known her theſe ſix Years; ſhe is an honeſt Woman; we have truſted her with Pounds: She has been ty'd down in her Bed.

Elizabeth Lofty. I have known her three or four Years, but never heard ſhe was a Thief: I have heard that ſhe will drink a little, and that ſhe has been out of her Senſes.

Samuel Eaſt Clendon. I live in *Cloth-Fair*. I have known her about 12 Years; I know her Huſband; he is a Waterman, and ſhe is reckon'd a very honeſt Woman, as far as I know. Acquitted.

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14. **John Cooper**, was indicted for ſtealing a Gooſe, *October* the 19th, the Property of *George Prieſtly*.

Q. To George Prieſtly. What did you loſe?

George Prieſtly. A Gooſe, a dead one, yes, I loſt it on the 19th of *October*, about 11 o'Clock at Night.

Q. What was it worth?

George Prieſtly. Half a Crown.

R. Do you know that the Priſoner had it?

George Prieſtly. He took it out of my Shop and walk'd away with it, and I found it upon him in his Apron. I aſk'd him how he came by it, and I brought him back, and ſent for a Conſtable; and the Conſtable had it, and it never was in my Cuſtody afterwards.

Q. You are ſure it was your Gooſe.

George Prieſtly. It was produc'd before an Alderman.

Q. To John Richards. When was the Time that *Prieſtly* loſt his Gooſe?

John Richards. It was on a Saturday Night: I ſaw the Priſoner run away, and catch'd him with it in his Apron.

Q. Did you ſay to him, how came you by it?

John Richards. He ſaid he was drunk.

Priſoner. Said in his own Defence, that he would not let his Friends know that he was a Priſoner. Guilty.

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*. 15. **Sarah Bibby**, was indicted for ſtealing a Great Coat, Value 10 s. the Goods of *Richard Skep*, *November* the 14th.

* Sarah Bibby, *tho' hardly 24 Years of Age, is an old Thief. She was Evidence in laſt* May *Seſſions againſt* Henry White, *a notorious Thief, as Principal, and againſt* Sarah Soames, *as an Acceſſary in receiving the Goods, knowing them to be ſtolen. See* Seſſions-Paper, *Number* iv. *Page* 107. *Trial* 202. *Alſo in the ſame Seſſions, ſhe was Evidence againſt* Elizabeth Stavenaugh, alias Howel. *See* Seſſions-Paper, *Number* v. *Page* 147, *Trial* 264. *Theſe were convicted on her Evidence. She hath likewiſe been Evidence againſt little Boys, her Accomplices.*

Q. (*to Richard Skep.*) What Buſineſs are you of?

Richard Skep. Muſic; I am of the *City-Waits*, of *Faringdon-Ward*. On the 14th of *November* I came Home about four o'Clock in the Morning, and put my Coat upon the Cloſet-Door; I laid down, and got up in the Morning, and went to my Mother's, to lie down four or five Hours to refreſh myſelf, that I might go out the next Morning again: But when I came Home to look for my Coat, my Coat was gone; and I ſent my Wife to the Pawnbroker's, and there I found the Coat; and I gave three Shillings and a Penny before I could have it; and he (the Pawnbroker) ſaid there was another Woman with the Priſoner at the Bar, and the Priſoner bid her go back and fetch my Hautboy.

———*Butcher.* The Coat was brought to my Houſe the 14th of *November* at ſeven at Night. I aſk'd her (the Priſoner whoſe Coat it was? and ſhe ſaid that her Siſter ſent her with it, and that it was her Brother's Coat..

Q. Do you know her Siſter?

———*Butcher.* She has pawn'd Things at my Houſe; ſhe has come from her Siſter two or three Times.

Priſoner Had nothing to ſay in her own Defence. Guilty.

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16. **William Barton**, was indicted for ſtealing a Parcel of *Cocoa*, at *Bear-Key*, *November* 11.

William Carter. I am Conſtable of the Night; and on the 11th of *November* laſt, as I went to the Watch, they ſaid that there was one that had ſtolen ſome Cocoa; and it being found in his Lap, I was ſent for by the Watchmen to take up this *William Barton.* I came, and there was put out of his Lap three Pounds of *Cocoa* at *Bear-Key*.

Q. Did he ſay how he came by it?

William Carter. He ſaid that another put it into his Lap.

Q. Did he not tell you how the Perſon came by it that put it into his Lap?

William Carter. No; he had a Nail that he broke the Hogſhead open with, and ſaid, that there were two nam'd *Ned* and *Sal*; and that was all that I could get out of him: He ſaid that *Ned* and *Sal* would come (us'd to come) upon the Keys and carry off Tobacco. We found of one Hogſhead the Head out, and a great many gone beſides what we found upon him.

Q. What, did you find a Nail upon him?

William Carter. Yes, my Lord.

Q. You talk of opening the Head of the Hogſhead with that Nail.

William Carter. He ſaid another Perſon did it; but he had the Nail.

Q. Well; now ſee what they are worth in your Judgement, and how many Pounds Weight you think there was.

William Carter. They are worth about a Shilling a Pound.

Q. *To David Thomas.* What are you?

David Thomas. I am, my Lord, a Watchman, and I was watching the *Cocoa* that Night. I ſearch'd and I found all ſafe; but a little after there was one (Hogſhead) found open.

Priſoner's Defence. It was not I, but another Boy, that broke open the Hogſhead: The (the Cocoa) were put into my Lap by another. I ſerv'd my Time to a Chimney-Sweeper. Guilty.

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17. **Tobias Burne**, was indicted for ſtealing 9 lb. of Sugar from *Bear-Key*, value 3 s. *Nov.* 11.

Thomas Mills. I took the Man (the Priſoner) myſelf, the 11th of laſt Month: I took him in *Bear-Key* Buildings.

Q. In what Manner?

Mills. I was following my Man up Stairs, and found this Man coming down between one Story and half a Story; and I ſaid, my Friend, where are you going? to get a little Sugar? I muſt ſee what you have got. He had an Apron hung down to his Knees, and a Bag: There it is: And in that Bag was the Sugar.

Q. This being found upon him, what did he ſay?

Mills. Why, he ſaid, that he did it for Want.

Thomas Engliſh. I am a *Weſt-India* Merchant's Conſtable, and I heard that *Mills* had taken a Man; and he did deſire me to come up, and he gave me Charge of the Priſoner at the Bar; and upon ſearching him, we found a Stocking full of Sugar in his Breeches.

William Clark. My Lord, the Conſtable and I ſearch'd him, and we found a Stocking full of Sugar between his Thighs.

Q. What did he ſay when you found it upon him?

Clark. Why, before he ſaid he did it for Want; but after that he ſaid nothing.

Q. Did he deny it before you found it upon him?

Clark. Yes.

Priſoner. In his Defence ſaid, That he came to get a Job, and he thought they cried out for Hands, and for that Reaſon was coming down; but ſaid, that he bought the Sugar of a Man, who ſaid it was a Bargain; and that at firſt the Man aſked 20 d. but took 14 d. Guilty.

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18. **Samuel Jones** and **John Plummer**, were indicted for ſtealing a Parcel of Sugar off of Brewer's

Brewer's Key, computed 10 lb. Weight, value 3 s. *October* 23.

John Millborn. The Priſoner on the 23d of *Oct.* was working at *Brew-houſe Key.*

Q. What are you?

Millborn. A Land-Waiter. *Jones* was in the Lighter. I happen'd to caſt my Eye into the Lighter.

Q. What Time of the Day was it then?

Millborn. It was about Noon; and I ſaw him filling his Pocket, his Coat-pocket, with Sugar. He was at work in his Waiſtcoat, and I ſaw him taking Sugar from the Hogſhead broke up, and by and by I ſaw him heave the Coat, that was upon the Lighter, and hide it under the Tarpaulin.

Q. Did he take the Tarpaulin up?

Millborn. The Tarpaulin lay looſe; it was rumpled all together at the Head of the Lighter.

Q. Did you obſerve him to move the Coat?

Millborn. Yes; he moved the Tarpaulin, and put it (the Coat) under.

Q. What did cover it in the Boat?

John Millborn. It was out of my Sight. I ſent for a Conſtable, and directed him to go.

Q. What did you order?

John Millborn. Order'd him to aſk for the Coat. The Coat was found, and there was eight or ten Pounds of Sugar.

Q. What Sugar was it? Did it match any of the Sugars on board.

John Millborn. The Sugars belong'd to different Merchants.

William Black. On the 23d of *October* the Land-Waiter ſent one to call me: Says he to me, do you go down, and you'll find ſomething; look under the Tarpaulin. I did look, and found it, and told him that it was *Jones*'s Coat; and I found the Sugar in his Pocket.

Ebenezer Heartly. *Jones* ſeem'd to deny the Coat that the Sugar was in: He ſaid, it was not his, it was like his, but he ſaid that he had ſold his Coat two or three Days before that at *Rag-Fair*, and had bought a Pair of Shoes with the Money.

Edward Cutter. I know nothing of *Jones.* *Plummer* I knew 13 or 14 Years; he liv'd four Years in my Houſe; I never heard any Thing amiſs of him in all my Life: He brought up his Children very prettily; he liv'd in our Market, that is *Spital-Fields.*

Richard Jones. I have known him almoſt 10 Years; he liv'd in an Apartment of mine that I did rent, and I never heard of any Blemiſh in his Character.

Thomas Greenwood. I have known him ſeven Years; he liv'd in good Credit, and paid every one what he deak for.

Q. *(To James Pentithu)* How long have you known him?

James Pentithu. Three Years and an Half. I believe him to be an honeſt Man; he is not given to Gaming or Swearing.

John Preſton. I have known him theſe 18 Years, and he bears the beſt of Characters.

John Pentney. I have known him two Years, and his Behaviour has been juſt and honeſt. I keep aHouſe in the Country, and he and his Children have come to my Houſe, and have had a Pot of Beer and a Bun.

David Valentine. I ſay that he is an honeſt Man; he has liv'd in my Houſe three Years and an Half.

Samuel Jones and *John Plummer* both Acquitted.

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19. **Richard Eve**, was indicted for ſtealing a Baſket of Bread, the Goods of *William Pagett*, *October* 24.

William Pagett. My Lord, on the 24th of *October* I ſent my Man out with Bread, one Half-Peck, 11 Quarterns, five Thee-Penny and two Two-Penny Loaves. About One o'Clock my Man comes Home, and told me that he had loſt his Baſket and Bread, but, ſays he, I have found the Thief; and I went into *Duke's-Place*, where the Priſoner was, and he ſaid that he had bought the Baſket and Bread for 18 d. and that he bought them of one in the Street; but after that he ſaid, if I would not proſecute, he would give me what Money he had ſold them for.

Thomas Baſſet. I found the Baſket and Bread upon this Man the 24th of *October.*

Q. How came you to loſe it?

Thomas Baſſet. I met with a Friend and went to drink a Pot of Beer, and left my Baſket of Bread upon a Bulk in the Street, and I miſs'd it in a very little Time; and as I knew *Duke's-Place* is a Place where they often ſell Bread, I went down into *Duke's-Place*, and I found it upon him there, and I took him up, and charged a Conſtable with him; and then I came home for my Maſter.

Priſoner. *Duke's-Place* is a common Market for Bread; and I ſaw him there, and ſaid to him, what ſhall I give you for this Bread? There were four Quarterns, Three-penny and Two-penny Loaves. He ſaid 20 d. but afterwards he took 18 d. for Baſket and Bread, and I ſold the Quarterns for Three-pence a Piece, and the Three-penny Loaves for five Farthings a Piece.

John Heart. This young Man and I went to drink at the *Bull Head*, and the Baſket was pitched upon a Bulk: In a little Time he miſſed his Baſket,

and

and he knowing that there was oftentimes Bread ſold in *Dnke's-Place*, he ſays to me, let us ſtrike down there, to ſee if we can't find it; and we went, and he ſaw him: This young Man challenges it, and lays hold on him, and he ſays that he bought it of one in the Street for 18 d.

Priſoner. Said in his own Defence, That he bought it at a Market Price. Guilty.

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20. **John Allen**, was indicted for ſtealing a Maſon's Hand-Jack, the Goods of *Abraham Whitro*, *Nov.* 16.

Abraham Whitro. I am by Trade a Cabinet-Maker. I loſt a Maſon's Hand-Jack. I am charged Two Guineas for it. I bought it to weigh a great Weight with it.

John Bowman. This Priſoner at the Bar did confeſs, that he had it, and that he knockt it to Pieces at *London Bridge*, and after that he ſold Part of it, that is the Cog and Plate, for 2 d. a Pound, which weighed 14 lb. and at 2 d. a Pound came to 2 s. 4 d.

Robert Pain. I went to the *Gatehouſe* with Mr. *Whitro*, and he (the Priſoner) ſaid that he had broke it to Pieces, and had ſold Part of it to one in *Crooked Lane*, and the other Part to a Man for three Farthings a Pound; but he denied the buying of it.

Priſoner. Had nothing to offer in his own Defence, and ſaid, that he had no Relations nor Witneſſes. Guilty.

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21. **Thomas Sutton**, was indicted for ſtealing 24 lb. of Iron, the Goods of *John Fuller*, *Oct.* 19.

Sarah Fuller. On the 19th of *October* this *Sutton* came into my Yard, ours is a Car-Yard, in *Moor-Lane*, and we found him in the Stable, and he run away, and kept out of Sight a Matter of a Fortnight; and I ſat up later than ordinary, thinking of the Iron that I had loſt.

Q. Did you find any of this 24 lb. of Iron upon him? How had he it?

Fuller. In his Hand. We had loſt Streaks and Horſeſhoes, what we call Tire-Streaks for our Cart Wheels. He has own'd to me the ſelling of this Iron at *London Wall*, and at one *Richardſon*'s.

Q. (*to the Priſoner*) What have you to ſay in your own Defence?

He ſaid nothing to that Purpoſe, but aſked a thouſand Pardons. Guilty.

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22. **Elizabeth Fitzgerald**, was indicted for picking the Pocket of *Benjamin Green* of a Silk Handkerchief, *Dec.* 5.

Benjamin Green. I charged her with picking my Pocket Yeſterday in *Cheapſide*, about Three o'Clock in the Afternoon. I found it upon her, under her Left Arm, and there was a Woman ſaid that ſhe ſaw her take it out of my Pocket.

Priſoner. I can prove that he charged another Woman with it.

Richard Sherlock. I ſaw the Gentleman have hold of the Priſoner at the Bar, and he ſeem'd to be forward to let her go; but I told him that ſhe ought to be puniſhed.

James Two. She has lived nine Months in my Cellar, and paid me very honeſtly.

Elizabeth Britain. I know her to be an honeſt Pains-taking Woman; but ſhe will drink a little. Guilty.

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23. **F——J——**, was indicted for aſſaulting *Robert Brooks* in a certain Paſſage in or near the King's Highway, in the Pariſh of St. *Dunſtan's* in the *Weſt*, putting him in Fear of his Life, and taking from him ſeventeen Guineas and a Half in Money, a Hat and Wig, value 10 s. 6 d. *Sept.* 8.

Q. (*to Robert Brooks*) Do you know the Priſoner at the Bar?

Brooks. Yes, very well; I have cauſe to know him; I have ſuffered very much by him, my Lord. I was coming home to my Houſe, the 8th of *Sept.* in *Bolt* in *Tun Court* in *Fleet-ſtreet*: It was about Nine o'Clock at Night; I did not perceive any Body to follow me. There was a Quarrel in the Street between two Women, and I came by, put my Hand into my Pocket, to ſee if my Money was there, and it was all ſafe. I walked homewards, and turned into the Court, and when I came within about thirty Yards of my Door, a Man came behind me, and ſaid, d——n you, you *Brooks*, you are a Rogue and a Villain: And before I could turn to look unto the Man, he knocked me down, and with the ſecond Blow he cut me in this Place; and I had a great many Blows when I was down, and I felt his Hand in my Pocket, and he drew the Money out of my Pocket, and there was ſeventeen Guineas and a Half Guinea.

Q. (*to the Priſoner at the Bar*) Do you know him?

Priſoner. I have known him about three Weeks.

Brooks. I am ſure he is the very Man. I never drank with him in all my Life; but he came by my Houſe one Night, and made me a Viſit againſt my Will.

Q. What Time of Night?

Brooks. About Eleven or Twelve o'Clock at Night; as he was paſſing by my Door, he ſaid that he thought he heard Murder cried out in my Houſe.

Q. Pray,

Q. Pray, what are you?

Brooks. I am an Appraiſer of Goods, and lend Money upon Goods.

Q. You take upon you to ſwear that he is the Man that knockt you down: Was you quite ſober then?

Brooks. Yes, my Lord; I had drank but Part of two Pots of Beer with a Man, his Wife and Children.

Q. Well, before he ſtruck you, he called you Rogue and Villain?

Brooks. I purſued him that Night, and I ſaid, that I had loſt ſeventeen Guineas and a Half, a Hat, and Wig which was found at the Barber's Door: I purſued him; he lodged at the *Bolt-in-Tun Inn.* After this I got a Search Warrant, in order to apprehend him, and I ſearched the Inn ſeveral Times, but never found him. At laſt I was told by one of my Acquaintance, that he was in a ſafe Place, for he had ſeen him in the *Counter*? With that I went to the *Poultry Counter*, and there I found him.

Q. Are not you lame?

Brooks. Yes, I have one Leg ſhorter than the other, and it coſt me 40 l. to cure it, and it was a good Cure too.

——*Chainey.* I know nothing of the Robbery. I ſaw a Quarrel one *Sunday* Night between Nine and Ten o'Clock, on the 8th of *September.* I was at my Door in *Bolt-in-Tun* Court, and ſaw the Proſecutor and the Priſoner a little before. The Priſoner comes down the Paſſage, and when he comes up to the Proſecutor, he ſays, D—n you for a Scoundrel Dog, your Names is *Brooks.* With that the Proſecutor ſaid, D—n you for a Scoundrel Dog, who do you call Scoundrel? I ſtepp'd up and deſir'd that they would not quarrel; but one Word begat another, and the Priſoner ſtruck Mr. *Brooks*, and they both went to Fighting; and as ſoon as the Scuffle was over, the Priſoner walk'd down to the *Bolt-in-Tun Inn*, and Mr. *Brooks* came up to me; in the Scuffle his Wig came off. Then Mr. *Brooks* went Home, and after a few Minutes he came out again, and ſaid that the Villain had robb'd him of 17 Guineas and a Half. Nothing more, my Lord; I ſaw no more. I heard after, that he went in Purſuit of the Priſoner.

Q. Did you ſee the Priſoner have his Hand in his Pocket?

Chainey. No, it was dark, I could not ſee.

——*Molloy.* I was going to Bed, and had juſt put the Candle out; I heard the Priſoner at the Bar ſay, You are a Scoundrel. I ſtood at the Step of my Door, and I ſaw Mr. *Chainey* with a Pipe in his Hand, and the Priſoner at the Bar knock'd Mr. *Brooks* down. I was naked, I did not care to go out naked. I ſaw the Priſoner upon him. I then being ſorry to ſee my Friend ill us'd, I ſaid, What! are you going to rob my Neighbour? And I run about 10 Yards, altho' I was naked, but I return'd back again. Mr. *Brooks* put his Hand into his Pocket, and ſaid, I am robb'd of all my Gold; he ſaid he was robb'd of 17 Guineas and an Half. I ſtill continu'd in my Shirt. Mr. *Chainey* went into his Houſe.

Q. What are you?

Molloy. I am a Weaver, and work for 'Squire *Turner.*

Q. *(to Mary Porter)* What are you?

Porter. I am a Waſher-Woman; I take in Waſhing; I live oppoſite to Mr. *Brooks.* I heard a Scuffle in the Court; I went to the Window, and I ſaw Mr. *Molloy* in his Shirt and Cap helping Mr. *Brooks* off the Ground, and he brought him to his own Door. I heard him myſelf ſay, that he was robb'd; I was near although I was up two Pair of Stairs, and he ſaid that he was robb'd of 17 Guineas and a Half.

Q. *(to John Dowell.)* Do you know for what Reaſon, in *Auguſt* laſt, that *Brooks* was going to deſtroy his Wife and Child, and came down with a naked Hanger in his Hand; and that the Conſtable, with others, brought the Woman down Stairs; and that the Priſonet ſhould ſay, that he was a very dangerous Fellow, and the Conſtable took Charge of him?

Dowell. Brooks, ſpeaking of the Priſoner at the Bar, ſaid he was a Gentleman-Thief, and charg'd a Conſtable with him; and they went to the Watch-Houſe, and when *Brooks* came there, he did not know what he had loſt, but he talk'd of a Piece of Lace that he had he lent 22 Guineas upon that Day; and I ſaw both the Priſoner and Mr. *Brooks* going——

Q. Did you know any Thing of the Gate-Way Quarrel?

Dowell. I believe it was the Beginning of *September.* It was on a Sunday Night, about Nine or Ten o'Clock. I heard the Voice of the Priſoner, and Mr. *Brooks:* I heard that *Brooks* was roul'd in the Kennel, and dawb'd his Coat. I heard one *Molloy* aſk, if he had loſt any Thing? Upon which *Brooks* ſaid, he had loſt ſome Money; and I heard Mr. *Chainey* ſay, There's your Wig. After this I went in a-Doors; and ſome Time after that he came out of his Door, and he ſaid that he loſt 17 Guineas and a Half Guinea; upon which I had a Piece of Flamboy in my Hand, and I light it to look for the Money; but Mr. *Brooks* call'd me holp-

ping Dog: The Neighbours were all about; I found none. He ſaid before, that he had loſt five Guineas; and after he came out of his Houſe he ſaid, he had loſt 17 Guineas and a Half.

Robert Money. I am the Conſtable. Between Eleven and Twelve o'Clock at Night there was an Uproar in Mr. *Brooks*'s Houſe, and the Neighbours were afraid to break the Door open, and Mr. *Brooks* aſked if I was there? and he came down with a Hanger in his Hand, and gave it to me. He had made ſeveral Notches and Cuts in the Wood of the Bedſtead. Accordingly I took Mr. *Brooks* and the Priſoner at the Bar to the *Watch-Houſe*, and I could not perſuade Mr. *Brooks* to let him go, but he inſiſted upon his going to Court, and the Priſoner at the Bar was honourably acquitted.

Q. What paſſed between Mr. *Brooks* and the Priſoner at the Bar?

Mony. Why, Mr. *Brooks* aſked him what he was, and he ſaid, a Gentleman; and Mr. *Brooks* ſaid, I ſuppoſe a Gentleman-Thief.

Q. (*to Mary Roberts*) Do you know any Thing of the Quarrel?

Roberts. No, no further than hearing of it.

John Atkinſon. I keep the *Bolt in Tun Inn*; I have kept it twenty Years.

Q. What do you know of the Quarrel?

Atkinſon. That it was on the 8th of *Sept.* The Priſoner at the Bar came in and ſaid, that he had had a Roul and a Tumble with Mr. *Brooks.* It was on a *Sunday* Night, about Ten or Eleven o'Clock at Night. He told me that in the Fray he had gotten Mr. *Brooks*'s Hat, and beg'd that I would get it ſent Home to him. So I ordered the Chamberlain to carry it, but he did not care to have any Thing to do with him: Then I ordered the Cook to carry it, and he (*Brooks*) would not take it of her; ſhe brought it back again. Then I went myſelf and carried it, and he would not take it of me in any Shape. And then Mr. *Molloy* went in and ſaid, Mr. *Brooks*, han't you loſt ſomething? and he ſaid after that, that he had loſt ſeventeen Guineas and a Half, a Hat and Wig.

Q. Do you know Mr. *F*——, the Priſoner at the Bar? What Character does he bear?

Atkinſon. A very honeſt Character. He always paid me very honeſtly and juſtly, and was unto me a good Cuſtomer.

Q. Did *Brooks* come and ſearch your Houſe?

Atkinſon. Yes; I have had my People taken out of their Beds; and he ſaid, that he would ſearch every Room in my Houſe for ſeven Years together Night and Day.

Q. Of what Buſineſs is the Priſoner at the Bar?

Atkinſon. He has been Abroad on board that Ship which the Lieutenant of was ſhot for Cowardice; and as I found that Mr. *Brooks* was ſo troubleſome to ſearch my Houſe, I beg'd him to get another Lodging.

Jacob Ferdinando. I remember one *Sunday* in *November* Mr. *Brooks* and Mr. *Molloy* came into the *Green-Dragon*, and ſaid, that they had been at the *Counter*, and had ſeen the Priſoner at the Bar; and he ſaid, God d—n it, I have gotten the F—— at laſt; and he ſaid, that he would hang him and two or three more, and then he ſhould be reveng'd on the Inn.

Rachel Corbet. At the *Green-Dragon* in *Fleet-Street* I heard him ſay, that he would hang the Priſoner out of Spite, and he would hang three or four more, and then he ſhould be reveng'd of the Inn. This was ſpoke in a publick Room.

Q. (*to David Cumberland.*) Do you know the Priſoner at the Bar, Mr. *F*——.

Cumberland. I have known him about four Months; he has the Character of an honeſt Man; he was a Midſhipman in the *Angleſea*; he is a Gentleman of an Eſtate.

Daniel Arthur. I have known him ſix or ſeven Years, a Man of ſtrict Honeſty; he is a Man of Subſtance.

——. I have known him fifteen or ſixteen Years; I knew his Father and Mother; Mr. *Hutton* of *Gainſborough* has given him ſeveral Draughts upon my Lord-Mayor. There is an Eſtate in *Lincolnſhire*, more than 200 l. a Year.

Mr. *Wilſon.* I know him, and his Mother before he was born. His Father was a very great Trader, and traded for as much as any Man in the County.

After ſuch a Cloud of Witneſſes appearing in Behalf of the Priſoner at the Bar, his Innocence was manifeſted with peculiar Glory, and Gladneſs was ſeen in every Countenance; and, in Conſequence, he was honourably Acquitted, and had a Copy of his Indictment granted him by the Court.

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24. **William Bur,** was indicted for robbing his Lodgings of a Pair of Sheets, a Pillow, and a Braſs Candleſtick.

John ——. He was a Lodger with me: He robb'd the Room and took the Key along with him. I live in *Drury-Lane*; I keep a Publick Houſe, and I let him a Room ready furniſh'd, a ready furniſh'd Lodging; and there was in the Room a Pair of Sheets, a Pillow, and a Braſs Candleſtick. He took the Key of the Room with him; he went away in laſt *March.*

Thomas

Thomas Salter. I know nothing of the Goods. He (the Profecutor) gave me a Warrant, becauſe I live in the Neighbourhood. I took him (the Priſoner) in *Petticoat-Lane*; he run up an Alley and thought there was a thorough-fare, and there was none.

Priſoner. Said in his Defence, that the Profecutor ſaid that he went away laſt *March*, whereas he went away a Fortnight after laſt *Chriſtmas*; and that this was a malicious Profecution, and that his Wife, who is now dead, was in the Room two Days after him. Acquitted.

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25. **William Mitchel,** was indicted for aſſaulting and robbing *Mary Ruſſel* of a Gold Necklace.

Mary Ruſſel. The Priſoner is a Woollcomber by Trade, and he came to my Houſe laſt *Monday* Night, and ſaid, Do you want any Worſted? And I ſaid that I did not want any, and I would not buy a Pennyworth. I ſent for a Pot of Ale, and after that he faſten'd his Right Hand about my Neck, and his Tongue he put down my Throat; and, a naſty Fellow, I bit his Tongue, and then he took my Gold Necklace and Locket.

Priſoner. I live at the lower End of *New-Inn-Yard*, ſhe in *Cock-Lane*. I am as innocent of this as the Child unborn.

Q. How came you to light him out, after he had uſed you ſo badly?

Ruſſel. I bit his Tongue, and he own'd before the Juſtice, that he would have been rude with me.

Priſoner. When I was told of this in my Room, I went and took a Book, and took my Oath that I was innocent of it.

Edward Dimple. I never ſaw him before laſt Monday Night. He brought Worſted to ſell to my Miſtreſs; he ſaid it was *Iriſh* Worſted, and that it was none of his own; and he ſaid he wanted to ſay ſomething to my Miſtreſs: And he put his Hand round her Neck and buſs'd her; and he ſaid to me, why don't you get withinſide of her? I ſaw him with his Hand round her Neck, and that is all I have to ſay. I heard her ſay indeed, that ſhe would not be teaz'd ſo.

——— *Bromley.* I have known the Priſoner 10 Years; my Buſineſs is a Weaver; he is a Woollcomber; he makes Worſted to ſell it.

———. The Man that told me about this Bracelet, has heard that this Women is a bad Woman in ſeveral Shapes: I have heard that ſhe would ſay unto Men, Lend me your Tongue, and buſs me.

Priſoner. I am inform'd that ſhe has charg'd another Perſon with this Bracelet.

Bromley. I will declare the Truth. That Gentlewoman would have ſent my Daughter on an Errand, to aſk one Bell, whether or no ſhe had not the Necklace. The Girl comes up to me and ſays, Father, ſhall I go of the Errand, what Harm is there in it? But I would not let her go, becauſe I had a Reaſon for it; I am a Papiſt, and did not care to have any Trouble in my Neighbourhood; I am a Weaver by Trade, and a Worſted-Weaver.

Hugh Molloy. I am a Weaver. I have dealt with him (the Priſoner) for Pounds, and have found him always a very honeſt Man. I heard the Profecutor charge *Bell* with it (the Necklace) Yeſterday.

Q. (to James Bright.) Do you know the Profecutor?

Bright. Yes; ſhe has bought Goods of me, and I have found her very honeſt.

Q. But what is her Character for Chaſtity?

Bright. Give me leave to ſay, my Lord, as to Vulgar Report, I have heard Things of her that are not commendable; but in her Dealings I have found her very honeſt. And as for the Priſoner at the Bar, I know nothing of him; he is a Stranger to me. Acquitted.

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26. **Thomas Meagle,** was indicted for ſhooting *Nathaniel Sheppard* Eſq; *October* 10.

Q. (to Nathaniel Sheppard.) How long have you known the Priſoner at the Bar?

Sheppard. Ever ſince the firſt March that I march'd. I am an Enſign.

Q. The Man march'd with you in the *Train'd-Bands*, as a common Man for ſome Houſe-Keeper?

Sheppard. On the 10th of *October* our *Militia* was out, but before they made their firing, their regular firings, I aſk'd them if they were all loaded? There were 36 of them, 12 in a Rank. I aſk'd them, if they were loaded? And they ſaid they were not; and then again; and they ſaid they were. I was then almoſt fronting the Priſoner, but at ſome Diſtance from him, I believe ſix Yards; and a Piece of Paper and Wadding hit againſt my Coat. With that I examin'd who it was that fir'd: I went down the laſt Rank, which is the third: I aſk'd them all, both Right Hand and Left, if they were loaded? I came up the ſecond Rank, I came up between the Priſoner and this young Man; I aſk'd them if they were loaded?

Q. What is this young Man's Name?

Sheppard. Stephens. They ſaid they were not loaded. Between the 3d and 4th Time I went to ſee the reſt of my Officers; and then the 4th Time I cry'd, Preſent and fire, and then I was as you now ſee me.

Priſoner, I did not intend any Hurt or Harm to

Mr.

Mr. *Sheppard.* Things of this Nature has been heard of.

Q. Was you acquainted with him before; Was there any Quarrel in your Exercise? Did you ever give him any Blows?

Q. *(to Thomas Oak.)* What have you heard the the Prisoner say?

Oak. We made a Halt in the *Vinegar-Field*, and he said, he wish'd that he had taken his Head off, instead of what Hurt he had done to his Eyes.

Prisoner. I never said such a Word in all my Life.

Stephens. I stood next to the Prisoner at the Bar.

Q. Did he shoot?

Stephens. Yes.

Q. How many Times?

Stephens. Four Times.

Q. Did you see any Thing go out of his Gun? Did it make a Report? You are sure he shot; was there any Dispute before?

Stephens. I saw him fire, and put his Piece out of the Line. Acquitted.

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27. **Thomas Abey**, was indicted for stealing a Cloth Coat and two Shirts.

———. He stole a Livery Coat out of a Stable in *Saville-Row*, on a *Tuesday:* The Man catched him with it coming out of the Stable.

Q. Was that the Coat you used to wear?

———. It is my Livery Coat; I have had it better than half a Year.

———. I am a Coachman; I was going to water my Horses; I went into the Back Stable, and I said to him, What, are you a Smuggler? I saw him with the very Coat. Guilty.

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28. **Thomas Newman**, was indicted for stealing from *Mary Bassett* 2 l. 7 s. 6 d.

Daniel Gibson. I went out the 14th of *November* to see the Train go, and I was at Home in about three Hours Time. I was in *Primrose-Street*, and the Boy came to me and told me, that I was robbed and my Family in Disorder: He run away the *Tuesday* after. He was an Apprentice to me, and I heard that he had spent the Money; I was told so by the Neighbours, and last *Saturday* I took him up.

Mary Bassett. I lost 26 s. in the Purse, and a Guinea and Six-pence.

Q. Where was the Purse?

Bassett. In a Drawer in the Desk.

Q. When lost?

Bassett. The 14th of *Nov.* This Purse is mine, and was taken out of the Boy's Pocket.

Prisoner. Could say nothing for himself. Guilty.

29. **Robert Stone**, was indicted for stealing a Horse, valued at 6 l. a Bridle and Saddle.

——— *Wright.* I am a Coach or Stable Keeper. On the 16th of *Nov.* we returned from *Bath*, and we set a Family down in *Bond-Street*, and we had a Bay Horse fourteen Hands high; I valued him at 6 l. and he had on a Saddle and Bridle; and in the Way of my Man's coming Home, whose Name is *Benjamin Smith*, he lost the Horse in *Broad St. Giles*'s. He supposes it to be taken or cut from behind the Coach; and upon going into *Little Queen-Street* he missed his Horse, and asked if any Body had seen a saddled Horse. He told me what had happened, and I bid him go to the *Green-Yard* and to several Inns, to see if he could hear any Thing of him. And on *Saturday* I found the Horse and Saddle was advertised by Sir *Thomas De Veil*; and I found him at the *White Horse* at the Back of *Long Acre*, and he was deliver'd to me by an Order of Sir *Thomas De Veil.*

Prisoner. I pick'd the Horse up in *Holborn*, as I was going home.

——— *Clay.* He brought the Saddle to me one *Saturday* Night about Eight o'Clock to sell; and I asked what he would have for it, and he said Half a Guinea. I thought it was too little, and that he did not come honestly by it. I stopp'd it, sent for a Constable, and went before Sir *Thomas De Veil*, and he committed him for further Examination. The Saddle when new was worth 50 s. and it is worth 20 s. now.

Benjamin Smith. I am the Coachman, and came from *Bath*, and tied the Horse, as I thought, behind the Landau, and by the Light of the Lamps I saw the Shade of the Horse every now and then; but coming up into *Holborn* in the Dark, I turned short away into *Queen-Street*, I missed him, and enquired when I missed him, but no Body could tell me any Thing of him. I went to my Master and told him, and he said I must go to the *Green-Yard* and several Inns to enquire after him.

Prisoner. Said in his Defence, that he found the Horse in *Holborn*, and that he carried the Bridle and Saddle to Mr. *Clay*'s, that he might raise Money to advertise the Horse, that the right Owner might have it again. Acquitted.

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30. **Elizabeth Mays**, was indicted for stealing a Cloth Cloak, Value 2 s. a Hat, Value 3 d. a Shirt, Value 2 s. a Stock and a Handkerchief, the Goods of *Mary Higgins*, *October* 29.

Q. *(To Mary Higgins.)* Do you know the Prisoner at the Bar?

Mary

Mary Higgins. I have known her a Fortninght; ſhe work'd with me; I follow Quilting.

Q. What do you charge her with?

Mary Higgins. A Cloak of White Cloth, a Hat, a Shirt, a Stock and a Hankerchief. She has ſold the Handkerchief; ſhe told me ſo when taken.

Q. How long is this ago?

Mary Higgins. On my Lord Mayor's-Day. She ſold the Hat for 3 d. in *Chick-Lane* and the Shirt in *Barbican* for 2 s.. She was in *Holborn*, and when ſhe was taken ſhe ſaid, That ſhe wanted to go Abroad, and that if ſhe had not done that, ſhe ſhould have done worſe; and being aſk'd what it was, ſhe ſaid that ſhe would ſet the Houſe on Fire.

Priſoner. Had nothing to ſay in her Defence. Guilty.

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31. **Mary Hales,** was indicted for ſtealing a Cambrick Handkerchief, and 17 Caps, the Goods of *Thomas Cudy.*

Thomas Cudy. I loſt ſome Things, and did ſuſpect this Woman, a Cambrick Handkerchief and other Things.

Q. Did you ever ſee any of thoſe Things in her Cuſtody?

Thomas Cudy. No.

Q. (To Mary Mills.) When theſe Things were miſſing, were they found in her Cuſtody?

Mary Mills. I know nothing againſt her: I can't ſwear that ſhe took them. Acquitted.

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32. **John Oakes,** was indicted for High Treaſon, for that he, not weighing the Duty of his Allegiance, and deviſing and intending our Lord the King and his People to deceive, on the 10th Day of *October* laſt, in the Pariſh of St. *Giles*'s *Cripplegate, London,* 40 Pieces of falſe, forg'd and counterfeit Money and Coin, to the Likeneſs and Similitude of good, legal current Silver Coin of this Realm call'd Shillings, did make, forge and counterfeit, againſt the Duty of his Allegiance, *&c.* and againſt the Form of the Statute *&c.*

Gentlemen, I am Counſel for the Crown, and he ſtands indicted for High Treaſon, for counterfeiting the current Coin of this Kingdom. Gentlemen, I am not willing to aggravate this above its Demerit; not to inſpire the Breaſts of the Jury with Sentiments to prejudice them againſt the Priſoner at the Bar, who ſtands upon his Trial for Life or Death. Gentlemen, undoubtedly it is the Prerogative of the Crown to take Care of the current Coin of the Kingdom. The Priſoner at the Bar is indicted for coining of Shillings; and I beg that you would obſerve how this falls among the working Poor of the Nation. Suppoſe a Man works hard all Day for a Shilling, and at Night ſhall receive one of theſe bad ones, that is not worth a Farthing: What Diſtreſs does this bring into a Family, where there is a Wife and Children.

The Priſoner at the Bar is an old Offender, and hath practis'd it 14 Years; and the Method of finding him out was by Mr. *Smith.* The Priſoner at at the Bar and Mr. *Smith* carry'd on this Affair: The firſt to coin, and the laſt to put them off when coin'd. The better to effect this, they often took Journeys, ſometimes to *Worceſter,* ſometimes to *Newcaſtle,* ſometimes to one Place, and ſometimes to another; and then, when they took theſe Journeys, they carry'd a Quantity of theſe Shillings with them. But *Smith* happened to be detected at *Baſingſtoke*; a Quantity of them were found upon him. He acquainted us that the Perſon he was concern'd with was one *Oakes,* and that he liv'd in *White-Croſs-Street.* Now Gentlemen, it is not upon the ſingle Teſtimony or Evidence of *Smith* that we are endeavouring to prove him guilty; for the Gentlemen of the Mint made an Enquiry, and they found in his Lodgings a great many Pieces ready made, and others almoſt finiſh'd; and they found the Inſtruments to carry on the Work, which are now in our Cuſtody. Mr. *Smith* has a great many Times, and that Years ago, had Part of that Money to ſet out of Town withal, and he hath ſeen him coin it and waſh it.

Priſoner, My Lord, put off my Trial for an Hour.

Q. (to William Smith.) Look at the Priſoner at the Bar. How long have you been acquainted with him.

Smith. Fourteen Years. My firſt Acquaintance with him was in the Horſe-Grenadiers; about ſix Years ago was the firſt Time he ſaid any Thing to me: Says he to me, You have a Family, and he immediately pull'd out of his Pocket three or four Shillings. I went with him to the *Noah*'s-*Ark,* and he put off one Shilling; and we went to the Coach and Horſes, and there he put off another. He found out where I liv'd, and I went along with him, and he put off three or four Shillings at a Time. This paſs'd on 'till *Witſuntide.* He liv'd then in *Lamb-Court* in *Clerkenwell.* When I came to ſee him, I open'd the Door, and I ſaw him coining with theſe Things; and there was Whiting and a great many ready coin'd, I believe to the Value of three or four Pounds. I ſaw with him a Pipe.

Q. What is the Compoſition?

Smith. What is the Compoſition! I don't know;

but he made Uſe of that Mould; there was an Impreſſion to make a Shilling, after he cut off the Stem, and he fil'd it. And after that he inveigl'd me to go with him into the Country; and we went to *Newcaſtle* and *Peterborough*, and we went with about 5 l. of them. I carry'd the Money that Time, and he put it off; and he told me he deſign'd to go to *Worceſter* and *Briſtol*.

Q. And you was at *Baſingſtoke*. Did you carry any of that Money with you?

Smith. Yes. I have ſeen him file 10 or 12 Pieces of that Counterfeit Matter, which had the Similitude of an *Engliſh* Shilling. He had Salt and Wax-Candle to rub it over with, to make it have a dull Hue; and he ſtroak'd it round with a File, to take off the rough Edge.

Q. When you went to *Baſingſtoke*, did he give you Money?

Smith. He was to meet me behind *Montague-Houſe*, and I agreed to go as the *Monday*-Sen'night after. Some Time after he brings me a Horſe at Five o'Clock in the Morning, and I went upon the Expedition, and he gave me a Box and a White Rug.

Priſoner. What he ſays I ſhall prove to be falſe. I ſhall ſay nothing yet.

William Rubby. Theſe are the Things we found in his Room. There was a Box.

Q. (to Smith.) Is this the ſame that you receiv'd from the Priſoner.

Smith. This is the ſame Sort of Counterfeit, this is the ſame Coin that I receiv'd; there is no Addition nor Alteration; I declare it to be the ſame Sort that he gave me.

Priſoner. My Lord, I ſhall aſk no Queſtions. He ſwears as he pleaſes.

Q. (*to Rubby*) Did you find this Mould in his Room? Are they proper for coining Shillings?

Rubby. His Room is a lower Room; it was not locked up, but they were found amongſt ſome Flocks.

Q. Have you any ſkill; are you concerned either in Silver or Braſs; did you find any Thing elſe beſides the Mould?

Rubby. Some counterfeit Shillings, Mould and Flaſk.

Q. Was there any Thing elſe beſides?

Rubby. There was Whiting and Wax-Candle, and there was a File.

Q. in what Part of the Room?

Rubby. Some in one Part and ſome in another: Some Pieces of Money lay upon a Ledge. We ſearch'd the Fire-Place and found ſeveral Pieces of Metal. There was a Bed in the Room.

Q. When you came into the Room, what did you meet with?

Rubby, Theſe ſeveral Pieces in ſeveral Places.

Priſoner. It was thrown about the Room. I have no Counſel. I did not know what they were for; It was *Smith* that brought them and left them there.

Q. (to Rubby.) Was you in the Room? Look at the Things.

Rubby. This is the Metal that we found; we found it upon a Ledge in the Wall higher than a Man's Head, on the 11th of *October* laſt. When theſe Things were found there, he ſurrender'd himſelf immediately. His Wife and Daughter ſeem'd ſurpriz'd. We found in a Baſket of Flocks the Mould and the Flaſk. There ſeems to me to be ſome ſmall Particles of the Metal in the File. I have look'd upon the Money, and it is all counterfeit.

Q. (to Hannah Liſter.) Look at the Priſoner at the Bar. Do you know him?

Liſter. He called once at my Houſe at *Tottenham-Court*. He once kept the Houſe that I now live in. Laſt *Tottenham-Court-Fair* was two Years, he call'd at my Houſe to drink, and he gave me a bad Shilling; but I ſaw it, and told him of it, and he gave me a better.

Priſoner. About the 5th of *September* I met Mr. *Smith*, and he aſk'd me if I could tell him where he might put a Horſe to Graſs. I ſaid there was Graſs enough now, but I told him I did believe that the Man at the *Royal-Oak* at *Vauxhall* had Graſs to let. My Lord, I and he drank together at the *George* in *Tyburn Road*; and I ſaid I am now going to the *Horſe Ferry*; and he fetched the Horſe, and I put it for him to Graſs at 12 s. a Month. As ſoon as I had done it and acquainted him with the Agreement, he ſaid it was a great Price, and he would put it into another Place to Graſs. I told him I did not care; but I did not ſee him for three Weeks; and when I ſaw him after, he was offering a Mare to ſell. I looked up the Yard, and I ſaid to the Man that was with me, ſtop a little, I ſhall ſpeak to one here. And I went, and found that he was going to ſell the Mare to one Mr. *Taylor*, a Gentleman of about 6 or 700 l. a Year. I ſaid, your Servant Mr. *Smith*. Mr. *Taylor* ſaid, do you know that Man? Yes, ſaid I. Said he, I hope that he is an honeſt Man. Said I, as for Honeſty, I can't give him a Character, for I don't underſtand how he ſhould deal in Horſes, ſeeing he has not wherewithal to carry on the Buſineſs. After this I aſked *Smith*, when he would come and take his away? and ſometime after this, he came one Day to my Houſe, and left a Bag, and threw it down upon the End of the Counter. I went over the Way for a Pint of Beer: My Wife happen'd to tumble down the Bag, and theſe

Thing,

Things, all of them, fell out of it; and ſhe ſtoop'd down, and took up a Piece of Wood, a File, and three or four Pieces of Pewter. The Bag was thrown aſide. He never came for the Bag, nor after the Things. I heard no more of him 'till he came to take me up.

Here the Priſoner called Perſons to his Reputation.

Joſeph Allen. I have known this Man 15 or 16 Years; I never heard any Thing amiſs in his Character: He is a Painter by Trade.

William Brown. I am a Joiner. I have known him many Years ago.

William Bird. I know him very well. He is a good-natur'd Man: He has paſſed his Word for other People, and ſo has ſuffered by it. He has helped thoſe that in the Time of his Trouble would not come near him.

Q. What are you?

Bird. I live at a Hair-Merchant's in *Green-Street, Leiceſter-Fields*, at the Sign of the Lock of Hair.

Stephen Greenlitt. He uſed to come to my Father's; we are partly Relations, we are Couſins. About two Years ago he took an Alehouſe in *Caſtle Yard*, but for want of Stock to carry it on, he was forced to leave it.

William Backwin. I have known Mr. *Oakes* theſe ten Years. I have worked for him in the Painting Way, and he is an honeſt Man.

Q. Did you ever hear that he was a Coiner?

Backwin. So far from that, that he was always poor.

——*Wilkinſon.* I think his Character is as different from that of a Coiner, as I am from being a Woman. I have changed Guineas and Shillings for him, and I never had one bad one of him in all my Life. My Money goes to my Brewer and Diſtiller.

John Hodgley. I am a Carpenter. I have worked for him, and he for me in the Way of Painting. I believe he is a very honeſt Man.

Hugh Ruck. I knew him in Priſon, and he lay with me there half a Year, and he always behaved as an honeſt Man.

Q. What was you there a Priſoner for?

Ruck. For Smuggling, but by the King's Grace I came out.

James Brittle. I know the Priſoner at the Bar. I have built four Houſes, and he hath worked for me, and I find him to be a Workman, and that he did his Buſineſs in a Workman-like Manner.

Thomas Liſter. I don't know much of him. I know the Houſe that he kept, and I have heard that he is a Coiner.

The Jury deſired to withdraw, which was granted; and when they were withdrawn, they ſent a Meſſage, deſiring that a Shilling or two might be brought to them with Inſtruments; which was done accordingly; and after ſometime they returned and brought in their Verdict, not Guilty. Acquitted.

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33. **Joſeph Payne,** was indicted for a Miſdemeanour, in uttering certain dangerous and treaſonable Words againſt our Sovereign Lord the King, that is to ſay, D——n you and your King too, and drinking the Pretender's Health.

Gentlemen of the Jury. Payne ſtands indicted for a great Miſdemeanour, for Words ſpoken by him very diſreſpectful to his Moſt Excellent Majeſty King GEORGE; and in Company with *Smith* and others he ſaid, God bleſs the Pretender, and here's a Health to the *Britiſh* Arms, (meaning the Rebel Army) and ſaying to *William Landey* and *Matthew Dawney*, D——n you and your King too, and God bleſs the Pretender.

Q. (*to George Norman*) Look at the Priſoner at the Bar?

Norman. I know him again. On the 7th of *Nov.* he was at my Houſe at the *Bull* Inn in *Biſhopſgate-Street.* I ſaw the Priſoner at the Bar about Seven at Night. I heard him drink King GEORGE's Health, and Succeſs to the *Britiſh* Arms, and God bleſs the Pretender. There were two Soldiers in the Room: One of them was *Will. Landey*, and the other was *Matthew Dawney.* They were in the ſame Room, but I think not in the ſame Box.

Q. Do you remember any Words that paſſed between him and the Soldiers? and that the Soldiers ſhould ſay, they would not have their Maſter abuſed; and that he ſhould ſay, God d—— n you and your King too?

Priſoner. I would ſay ſomething. Since I have been brought to *Newgate* I have had a great deal of Cold, that it has broke my Voice. I am ſlow in Speech, and ſhort in Memory. This is the firſt Time that ever I was brought before a Court in all my Life; but when I was there I was in Drink, and very much intoxicated with Liquor.

Joſeph Johnſon. This Man was at our Inn. I am a Porter there. I thought I ſaw him Yeſterday was a Month at our Inn; and when he firſt came in, there were two or three Songs ſung, and he drinked, and he drinked Healths, and he ſaid, Here's a Health to King George, Succeſs to the *Britiſh* Arms, Here's a Health to the Pretender.

Q. Was any Body in Company with him?

Johnſon. There was *Dawney* and *Landey*; and they ſaid it was not their Duty to hear the King ſpoke againſt: And being a little ſtirr'd up, he ſaid

to

to one of them, God d—n you and your King too.

Q. Pray, did not he give a Man three Halfpence to drink the Pretender's Health.

Johnſon. Speaking of the Pretender, he ſaid that he pray'd for him daily, and it was the Duty of a Chriſtian to pray for his Enemies.

Q. Pray, did you hear him drink King *George's* Health.

Johnſon. Yes; he both ſaid King *George* and Royal *George*; and he ſaid, God bleſs King *George*, Succeſs to the *Britiſh* Arms, and here's a Health to the Pretender; and he always all along ſaid it was the Duty of a *Chriſtian* to pray for his Enemies.

Q. Was he ſober then?

Johnſon. No my Lord, very much in Drink.

Q. (to John Smith.) What did you hear him ſay, and to whom?

Smith. When I come in, he had a Pot of Beer in his Hand, and he ſaid, that they would not drink with him; and he ſaid, God d—n them and their King too.

William Burr. All that I can ſay is only this: That when I came in he ſaid, God bleſs King *George*, and Succeſs to the *Britiſh* Arms, and here's a Health to the Pretender. And I heard ſeveral Perſons ſay, that they would have him go about his Buſineſs.

Priſoner. I believe I left off when I ſaid I was intoxicated with Liquor [and here he made the Court ſmile; for he ſaid that he was ſlow of Speech, that his Eyes were in the Eclipſes, and his Memory ſhort as the Top of a high Rock.] The Day that I drop'd into the *Bull*, I had been in *Leadenhall-Street* about Buſineſs, and it was to make a ſmall Collection for a Gentleman's Servant reduc'd, and when I had done we had a Diſh of Steaks, and with that we drank plentifully, and my Eyes began to be in the Eclipſes. I went to the *Bull* to ſpeak to a Gentleman's Coachman that was to be there; and light of another there in the Yard, and I aſk'd him to go and drink. How much I did drink I can't tell. It was at Noon when I came into the *Bull*, and late at Night I went away, and the next Morning I found myſelf in the *Counter*. Next Morning I was hurry'd away to *Guildhall*, and then afterwards to *Newgate*. When I firſt went into the *Bull* I had 17 s. about me; and next Morning when I awak'd in the *Counter*, I had but one. Give me Leave; with Submiſſion, if I might have Leave, I will give your Lordſhip an Account of the Pilgrimage of my Life and Converſation. When I came to the *Bull* I call'd for Liquor; what I call'd for, other People had. There was a Man there that did curſe the Pretender; and I ſaid that I was always taught to bleſs, and may God bleſs his Gracious Sovereign Lord King *George*.

Here dropp'd Loyal and Eloquent Sentiments from Sir *Simon Urling* Knt. Recorder of the City of *London*, who ſpoke to the Priſoner to this Effect: That in the midſt of Juſtice, Mercy was remember'd; that he was not then in a Court of *Inquiſition*, but in an open and free Court, where the Liberties of *Engliſhmen* are maintain'd in the higheſt Degree; that we had upon the Throne the beſt of Kings, who had always made the Laws of the Realm the Rule of his Government; and therefore the Priſoner would do well to have a venerable Regard for his Sacred Majeſty King *George*, and to conſider the Mildneſs of the Court that inflicted on him only two Months Impriſonment and a Fine of five Shillings.

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34. **Barnard Caſon**, was indicted for ſtealing a Tea-Kettle, value 5 s. Guilty.

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35. **Jane Morris** and **Mary Stafford**, were indicted for ſtealing two Silk Gowns, a Silk Petticoat, *&c.* and 40 s. in Money, beſides ſome Halfpence, the Goods of *Joſhua Jmes*.

Elizabeth James. I was call'd out of Bed by the Watchman, who found my Door was open; I preſently diſcover'd my Drawers had been rifled. They were ſoon after apprehended, and the Goods and part of the Money found upon them. Guilty.

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Tranſportation for 7 Years, 19.

Sarah Bibby	15	*John Allen*	20
William Barton	16	*Richard Hambridge*	1
Tobias Burne	17	*John Maſon*	3
Richard Eve	19	*Elizabeth Newberry*	5
Barnard Caſon	34	*Thomas Abey*	27
Thomas Sutton	21	*John Barton*	6
Elizabeth Fitz Gerald	22	*Thomas Newman*	28
Jane Morris } *Mary Stafford* }	35	*Elizabeth Mays*	30
		Elizabeth Gardner	10
Margaret Smith	9		

To be Whipp'd 6.

John Cowper	14	*Catherine Bradley*	12
Mary Clark	8	*John Race*	2
Mary Parſons	11	*B—— J—*	7

Joſeph Payne, convicted of a Miſdemeanor, was order'd two Months Impriſonment in *Newgate*, and fined Five Shillings 33.

Next enſuing Seſſions to begin,
On *Wedneſday*, *Jan.* 15, at *Guildhall*.
On *Friday*, *Jan.* 17, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On FRIDAY the 17th, SATURDAY the 18th, and MONDAY the 20th of *January*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Second SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER II.

LONDON:

Printed, and ſold by C. NUTT, at the *Royal-Exchange*. 1745.

[Price Six-pence.]

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London, &c.*

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, the Right Hon. the Lord Chief Baron PARKER, Mr. Juſtice DENISON, Sir SIMON URLING, Knt. Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
George Wyld,	*William Billſon*,
Mark Stone,	*John Weſt*,
Durham Sharpe,	*John Baker*,
Abraham North,	*John Girdler*,
Joſeph Criſh,	*Samuel Warburton*,
Edward Satchill,	*John Solby*,
Thomas Barnes,	*William Rhodes*,
Henry Kettle,	*Francis Broadhead*,
James Jennings,,	*William Brackett*,
William Barber,	*Joſhua Braddock*,
John Turner,	*Edward Joſt*,
John Bunny.	*Leonard Lee*.

36. **Mary Banks** was indicted for picking the Pocket of *David Drummond* of 15 s.

Q. What do you ſay of the Priſoner?

David Drummond. I was attack'd by this Woman and another, in *King-Street*, *Weſtminſter*, on the 7th of *December* about 11 o'Clock at Night.

Q. In what Manner?

Drummond. As I was going home to my Family I met three Women; I paſs'd two of them, and this Woman, the Priſoner, ſtuck by me; I found her Hand in my Pocket.

Q. Where was it?

Drummond. In *King-Street*, oppoſite *George-Yard*; and I ſaid to her, you baſe Woman, you have taken away my Money.

Q. Did you perceive her Hand in your pocket.

Drummond. Yes.

Q. How could you be ſure it was the Priſoner, when there were other Women about you?

Drummond. Sir, I caught this Woman's Hand in my Pocket, and as I was carrying her along to the Watch, I told her I muſt have my Money, and that then I would let her go.

Q. How much Money was there?

Drummond. Fifteen Shillings.

Q. You ſay your 15 s. were gone; were not the other Women as cloſe to you at any Time, that they might put their Hands into your Pocket.

Drummond. They were not ſo cloſe.

Q. Do you know the Priſoner to be the Woman?

Drummond. Yes, I carry'd her to the Watch-houſe that very Night; ſhe never got out of my Hands.

Q. (to the Priſoner.) Can you aſk the Proſecutor any Queſtions that might be to your Advantage?

Priſoner. My Lord, he pull'd and hal'd me, and ſaid, he would lie with me.

Q. (to Drummond.) You hear what ſhe ſays? Did you ſay any ſuch Thing to her?

Drummond. Nothing like it, my Lord; I was not given that Way.

Q. (to Drummond.) This Woman is on her Trial for her Life, can you be poſitive ſhe took the Money out of your Pocket?

Drummond. The Priſoner is the very Woman, I carry'd her to the Watch my ſelf.

Q. (to James Scot.) What do you know of this Matter?

James

James Scot. I was Conſtable of the Night. The Proſecutor brought her to me between 11 and 12 o'Clock at Night. He ſaid, ſhe had robb'd him of 15 s.

Q. Who did he ſay had robb'd him?

Scot. This Woman, the Priſoner, had pick'd his Pocket.

Q. What further do you know of this Matter; were you acquainted with this Woman before?

Scot. She is a Woman of the Town, a troubleſome Woman, every Body knows her.

Q. What did ſhe ſay when the Proſecutor brought her to you?

Scot. She ſaid ſhe had not robb'd him of 15 s. But I ſaid, I would ſearch if I could find the 15 s. about her.

Q. What happen'd then?

Scot. She had 5 s. in her Hand, which ſhe gave me, ſaying, that was all the Money ſhe had, and that ſhe had got of a Gentleman's Servant.

Q. So ſhe gave you the 5 s. without being ſearch'd?

Scot. Yes.

Q. After delivering the 5 s. did you ſearch her and find any more Money upon her?

Scot. No more.

Q. What do you know further?

Scot. She ſaid ſhe had 2 d. ½ of the Proſecutor; I aſked her, where is the 2 d. ½ *Moll?* But ſhe ſaid neither one Thing nor another.

Q. What did ſhe charge *Drummond* with?

Scot. For aſſaulting her in the Street.

Q. (to the Priſoner.) Will you aſk the Proſecutor any Queſtions?

Q. (to Drummond by the Priſoner). Where did I pick you up?

Court. That Queſtion has been anſwer'd already.

Q. (to the Priſoner.) Have you any Witneſſes?

Priſoner. My Lord, they are not here.

Q. (Jury to the Proſecutor.) Was the Money that was taken from you, in a Purſe or Bag, or was it looſe in your Pocket?

Drummond. Looſe in my Breeches Pocket.

The Priſoner could ſay little or nothing in her own Defence. Guilty.

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37. **John Webb** was indicted for aſſaulting *Herman Dock*, with a large Knife, and wounding him in a deſperate and cruel Manner.

Q. (to William Burt.) Do you know any Thing of the Priſoner *John Webb*, and of his wounding *Herman Dock*? Give an Account of the whole Matter?

William Burt. On *Sunday* Night, the 15th Day of *December*, about Eight o'Clock, Mrs. *Webb*, the Priſoner's Wife, came down crying.

Q. Where was ſhe?

Burt. She came from her own Apartment, and ſaid, for God's Sake let me lay with your Daughter; for he, the Priſoner, would murder her.

Q. But what do you know of this Murder?

Burt. On *Monday* the 16th of *December* the Priſoner came home between Nine and Ten o'Clock at Night, and made a great Diſturbance. I deſir'd him to go up Stairs and take his Tools away, and I would forgive him what he ow'd me. When my Wife and the Deceas'd came up the Stairs to him, he endeavour'd to ſtrike them; but, by pulling off his Coat, he put out the Candle.

Q. What Buſineſs is this *Webb* of?

Burt. A Shoemaker. Then my Wife and the Deceas'd went down Stairs and left him by himſelf alone.

Q. Did *Dock*, the Deceas'd, go down with you and your Wife?

Burt. Yes, we all went down to be quiet.

Q. What happen'd after that?

Burt. When we came down, in about half an Hour he made ſuch a Noiſe as diſturb'd the Lodgers.

Q. What did you do, upon his making that Noiſe?

Burt. I went up Stairs and deſir'd him to be quiet. I did not go up quite into his Room, but the Young Man, the Deceas'd, came to me and took the Candleſtick out of my Hand, and went up by himſelf to deſire him to be quiet. I was in the one Pair of Stairs Room; the Priſoner lodg'd up three Pair of Stairs. While I was talking with an Officer, that came to my Houſe, I heard the Cry, *Murder, Murder.* I ſaw the Deceas'd lie near the Window of my Room, with his Guts hanging out.

Q. How long was it before you heard the Cry, Murder, after you was got down the Stairs?

Burt. About two or three Minutes.

Q. How long did the Deceas'd live after?

Burt. Two or three Days.

Q. When did this Accident happpen?

Burt. On *Monday* Night.

Q. What, did the Deceas'd die of the Wound he receiv'd?

Burt. Yes.

Q. After you had ſeen the Deceas'd in this Condition, how ſoon after did you ſecure the Priſoner?

Burt. A little above a Quarter of an Hour.

Q. Was the Deceas'd able to ſpeak, after he had been wounded? Did he give any Account of this Matter?

Burt. He ſpoke before the Juſtice.

Q. Had

Q. Had you any Diſcourſe with the Priſoner about this Matter afterwards.

Burt. When he came down Stairs, the Priſoner look'd very white and ſaid, the Deceas'd fell on the Knife himſelf.

Q. (*to the Priſoner.*) Have you any Queſtions to aſk this Witneſs?

Priſoner. No, my Lord.

Q. (*to Frances Burt.*) What do you know of this Matter?.

Frances Burt. When my Huſband went up Stairs he (the Priſoner) abus'd him, pull'd him about, &c. But we had not been down Stairs a Quarter of an Hour, before we heard a great Noiſe of Curſing and Swearing, and I ſaid to my Huſband, pray go up Stairs and pacify him: But the Young Man, the Deceas'd, went up, and had not been gone above two or three Minutes, but I heard him cry out, O God, O God! I went to meet him at my Shop Door, and ſaid to him, what is the Matter? Mother, ſays he, I am ſtabb'd, I am kill'd! He pull'd away his Shirt, which I have here in my Apron: He ſhew'd me a great Hole and there hung out his Guts. Running out of the Shop, I left him leaning with his Head by the Window and crying out Murder. I aſk'd him what was the Occaſion; he told me he only deſir'd the Priſoner to be quiet, and that without any Provocation he (the Priſoner) ſtabb'd him. The next Day, being *Tueſday*, we carry'd the Priſoner before Sir *Thomas De Veil*. Sir *Thomas* was ſo good as to come and hear the dying Words of the Deceas'd, who ſaid, the Priſoner run the Knife in and took it out himſelf.

Q. How long did he live after?

Frances Burt. Two or three Days.

Then the Knife, the bloody Shirt and Apron were produced in Court.

Q. (*to Frances Burt.*) Do you know whoſe Knife that was?

Frances Burt. The Priſoner own'd it was his own Knife.

Q. (*to Charles Dennis, Surgeon.*) Mr. *Dennis* will you give an Account of your examining this Wound?

Charles Dennis. On *Monday* Night the 16th of *December*, Mrs. *Burt* cry'd out, for God's Sake come, there is a Man murder'd. When I came, I found that the Wound was below the Navel, the Guts and Caul hanging out at it: I was in Hopes that the Wound was not mortal; becauſe the Guts ſeem'd not to be broke: I found by the great Effuſion of Blood, there was ſome other Part wounded within: The Mortification encreas'd every Minute: I gave Information of the Affair to Sir *Thomas*: At the Coroner's Requeſt I open'd the Body of the Deceas'd, and found the Guts cut thro' and thro', ſo that the Wound muſt have reach'd quite to the Back-Bone.

Q. (*to* Mr. *Dennis.*) Do you think this was the only Cauſe of *Dock*'s Death?

Dennis. I am convinced of it, and being perſuaded that the Wound would prove mortal, I gave the Deceas'd very little Hopes: I had done what Art could do for him: Upon aſking the Deceas'd how it happen'd; he ſaid he went up Stairs at the Deſire of the People of the Houſe; upon which the Priſoner immediately fell upon him: That the Deceas'd did return the Blow, or ſtruggle with him, or ſomething to that Purpoſe, and that afterwards the Priſoner took up the Knife and gave him the Wound.

Sir *Thomas De Veil*'s Letter produced in Court ran thus.

'That the Deceas'd declard, that he went up to 'pacify the Priſoner: But that of a Sudden turning 'a little round, and ſnatching up a large Shoe-'maker's Knife, he thruſt it into the Deceaſed's Bo-'dy, of which Wound he lies in a dying Condi-'tion.'

Q. (*to the Priſoner.*) You hear the Evidence given againſt you, what have you to ſay for yourſelf.

Priſoner. I had been out about a little Buſineſs; when I came Home, *William Burt*, my Landlord, aſked me to play at Cards, &c. I walk'd up Stairs; my Landlord and this young Fellow follow'd me: I deſir'd they would walk down; but they inſiſted on my going out that Night: My Landlord and I were ready to come to Blows: At laſt I got them down Stairs and faſtened my Door: What Noiſe I made, was my breaking my Coals, &c. As I was at Supper, eating Bread and Cheeſe, in came the Deceas'd; I aſk'd him why he broke open my Door: He came behind me and fell upon me, and knock'd me down: He ran down Stairs, and I did not know he was hurt at all, and 'till the People came up to me, I did not know what was the Matter. He knock'd me down with a Knife in my Hand, and I did not know that he was hurt.

Q. Was your Room lock'd, or did he do any Thing more than lift up the Latch of your Door? How did he break it?

Priſoner. He put his Knees againſt the Door.

Q. What did he do to you when he came into the Room?

Priſoner. He aſk'd what meant the Noiſe I had made. I told him, I had been breaking of Coals. Upon this he knock'd me out of my Chair and fell upon

upon me, but I did not know which Way he was hurt, when he knock'd me down. I had a Knife in my Hand, eating my Bread and Cheese, and I was upon my Back when he run down Stairs.

Q. have you any Witnesses?

Q. (*to William Arnold.*) What have you to say of the Prisoner?

William Arnold. I have known the Prisoner from a Child, and I never heard any ill Report of him; But I have not seen the Prisoner since he has been in London.

John Hope. I have known the Prisoner many Years, and never known him to wrong Man, Woman or Child, or come into any Quarrel.

——— *Perriman.* I have known the Prisoner 14 Years, was born and bred in the same Town with him, never heard he was any other than a very inoffensive Man.

Q. (*to Burt and his Wife.*) Was the Lock of the Door broke or strain'd in any Mannner?

Burt and his Wife. Not at all, my Lord.

He was charg'd for the same Crime by the Coroner's-Inquest. Guilty, **Death**

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38. **Christopher Cust** was indicted for stealing four Pewter Plates, the Property of *John Ward.*

Q. (*to John Ward.*) Did you lose any Thing?

John Ward. Four Pewter Plates, *&c.* My Maid asked me if I knew any thing of the Company the Evening before. I answer'd I did, and that they belong'd to the Six Clerks-Office: So I went to one or two of them I knew: I asked, if they knew any thing of such and such Things I had lost; I told them we had had no other Company in the House that Evening but themselves; and they guessing at the Prisoner, one said, he knew the Place where he used to pledge Things; and at that Place we asked for such and such Plates, which the People produced directly, with mine and my Wife's Name upon them.

Q. Where were they pawned?

Ward. At Mr. *Singleton's*, the Corner of *Featherstone Buildings, Holborn.*

Q. Did Mr. *Singleton* shew them to you?

Ward. He gave them me with his own Hands. And taking out two Warrants, one for the Prisoner, and the other for the Goods, we brought the Prisoner that Night before Justice *Burdus*, to whom he made some Confession.

Q. (*to William Singleton.*) Do you know the Prisoner?

Singleton. I have known him a Year and a half, and upon the 4th of this Month, bringing me four Plates, I lent him 2 s. upon them.

Q. (*to Christopher Cust.*) What have you to say for yourself?

Cust. My Lord, there were a great many of us in Company. We went to Mr. *Ward's* to play a Game at Skittles, where we were drinking hard 'till Night. As to confessing the Plates, there was no Confession made; the Plates being convey'd into my Pocket without my knowing any thing of it.

Q. Have you any Witnesses?

——— *Wainwright.* My Lord, I have been acquainted with the Prisoner five Years, and I took him into my own House, the Fellow then behaved well; and I have left him in the House by himself.

Joseph Bibby. I have known the Prisoner upwards of three Years, and he always behaved well as far as ever I knew of him.

Q. What is his Character?

Bibby. He used to do Business for Mr. *Wainwright*, and always behaved well as far as ever I heard.

James Story. He was Clerk to a Gentleman in the Country, and I have known him Clerk to another, where he behaved very well, and had a good Character.

Thomas Wilson. I have known the Prisoner two Years, I always took him for a sober, honest Man.

John Monkwell. I have known him a considerable Time, and he was always reputed a very honest Man, as far as I have heard. Guilty of Felony.

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39. **Hester Stephens** was indicted on Suspicion of picking the Pocket of *William Rutter* of a Silver Snuff-Box.

William Rutter. On the 7th of *December*, about Seven at Night, coming from *Cold-bath Fields*, just before I came to the End of *Mutton-Lane*, I saw a Man staggering and falling down; I lifted him up, else he had been run over, had I not come by and saved him. I went into the *Magpye* Alehouse, just by, and calling for a Pint of Ale and Gin, I filled my Pipe and smoked, and pulled my Snuff-Box out of my Pocket. Said I to my Landlady, I believe you are a *Welsh-woman.* This Woman, (the Prisoner) sat by me, I gave her my Box to take a Pinch of Snuff, she return'd it, and I put it up in my Breeches Pocket; when I had paid my Reckoning I went out to the Door, and the Prisoner at the Bar came to me and took me by the Arm, and walked with me over *Clerkenwell-Green* towards St. *John's Wall.* I put my Left Hand about her Neck, and gave her a Kiss; while my Left Hand was round her Neck, her Right Hand was in my Pocket; I presently missed my Box, but away she ran, and I said give me my Box. She d——n'd me and said, touch

me if you dare; which I was afraid to do, as ſhe might have ſome Accomplices. I ſaid, I will never leave you till I bring you to Juſtice. When I got her into St. *John's-Street*, there I was inform'd of an Officer. It wanted but a Quarter of an Hour of Nine o'Clock before I could get it ſettled. After ſhe had been charged about an Hour, ſhe walked out under a Pretence to find my Box; ſhe ſent a Watchman to fetch her Landlady; who anſwer'd, what is the Matter? I'll be hang'd if ſhe has not picked the Gentleman's Pocket.

Q. So, you loſt your Box?

Rutter. Yes, ſhe did her Work very quick.

Q. Then you did not find her Hand in your Pocket?

Rutter. I felt her Hand, and then follow'd her, and ſaid, I would not leave her till I had my Box again.

Q. (*to the Priſoner.*) What have you to ſay for yourſelf?

Priſoner. Pleaſe you, my Lord, I know nothing of it.

Q. (*to Rutter.*) Did you not ſay you could not be poſitive ſhe took it?

Rutter. My Lord, I know ſhe took it: I had my Hand upon my Box five Minutes before ſhe had it.

Priſoner. As I was going along, he wanted me to drink a Bottle of Wine with him: And becauſe I would not go, he charged me with the Conſtable.

Q. (*to the Priſoner.*) Have you any Witneſſes?

Griffith Dowel. I have known *Heſter Stephens* above a Year and a half, and never heard any Harm of her.

Mary Croſs. I am a Waſher of Gentlemen's Linnen, and have truſted her with all that I have, and never found her diſhoneſt.

Sarah Hog. I have known her ſome Years, ſhe lodged at my Houſe, and I never knew any Harm of her in my Life. Acquitted.

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40. **Thomas Welſh** was indicted for ſtealing two Pair of Worſted Stockings, the Property of *John Gibſon.*

Q. (*to John Gibſon.*) What have you to ſay againſt the Priſoner?

Gibſon. On *Saturday* the 14th Day of *December* my Servant came and told me he had taken a Thief. I went immediately to my Shop and found this Man, (the Priſoner) there, with two Pair of Stockings on the Counter, which my Servant ſaid he run away with.

Q. What Stockings are they?

Gibſon. Worſted Stockings.

Q. What's your Servant's Name?

Gibſon. Walter Gray.

Q. Did you aſk the Priſoner about it?

Gibſon. The Priſoner confeſs'd and begg'd Pardon.

Walter Gray. He (the Priſoner) came into the Shop to buy ſome Stockings. He looked out two Pair, put them on the End of the Counter, and then ſlip'd out with them.

Q. Did you follow him?

Gray. I follow'd him and cry'd, ſtop Thief, and ſomebody ſtopp'd him.

Q. When you came up to him, where were the Stockings?

Gray. He had the Stockings in his Hand when I came up to him.

Q. What did he ſay when he was taken?

Gray. He own'd himſelf guilty.

Q. (*to William Wilkinſon.*) What have you to ſay againſt the Priſoner?

Wilkinſon. As I was paſſing the Corner of *Exeter-Exchange*, hearing the Cry, ſtop Thief, I ſaw the Priſoner running as hard as he could; I took hold of him; he made no Reſiſtance, but deliver'd the Stockings immediately, and ſaid, he hop'd to have Forgiveneſs as it was the firſt Fact he had done.

Priſoner. I never was guilty of any Error before, but Neceſſity obliged me. Guilty 10d.

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41. **Jane Burle** was indicted for ſtealing a great Quantity of Linnen and Wearing Apparel, the Property of *William Mead.*

Q. (*to William Mead.*) What Goods did you at any Time loſe?

Mead. I miſſed the Things mention'd in the Indictment.

Q. When did you miſs them? Was this Woman converſant at all in the Houſe where the Goods were?

Mead. No, my Lord, ſhe lived a Servant with a Woman next Door.

Q. What reaſon have you to ſuſpect the Priſoner?

Mead. We ſerv'd the Gentlewoman next Door with Beer; we keep a Publick Houſe. Some odd Things were left behind by the Priſoner's Miſtreſs, who was then moved to another Houſe; and while we were at Dinner, the Priſoner brought in a Steak, which we dreſs'd for her; ſhe drank a Pennyworth of Beer, and then took her Leave of us. Soon after miſſing the Box with the Linnen and Apparel, we had a Suſpicion of the Priſoner. I found out her Miſtreſs's Houſe, and knocking at the Door, the Priſoner came out; I challeng'd her with the Box; ſhe ſaid, ſhe knew nothing of it. I aſked her Miſtreſs; ſhe ſaid, ſhe hoped ſhe had not been guilty of ſuch a Thing; upon ſearching, we found the Box broke

open in the Cellar, with the Things in it as they are now.

Q. When you found the Box, what did you do?

Mead. Why, I took it to the Publick Houſe, where I had got the Maid to come before, and her Miſtreſs went with me.

Q. (*to* Mrs. *Mead.*) When did you miſs your Box?

Mrs. *Mead.* My Box was in the Room at Three o'Clock, I open'd it and lock'd it again. This Woman (the Priſoner) was the only Perſon in the Houſe, tho' I did not ſee her take it.

Q. How ſoon did you miſs your Box?

Mrs. *Mead.* I ſaw it about Three, and miſſed it about Five.

Q. Did you ſee the Priſoner at her Miſtreſs's, after the Box was found?

Mrs. *Mead.* I did not, my Lord, but my Huſband did. Guilty.

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42. **Richard Salmon** was indicted for ſtealing nine Pair of Stockings, the Property of *George Evans.*

Q. (*to George Evans.*) What have you to ſay againſt the Priſoner, with reſpect to nine Pair of Stockings loſt the 7th of *January?*

Evans. My Lord, my little Girl told me, ſhe ſaw a Man take a Bundle.

Q. What Age is your Girl?

Evans. Between eleven and twelve. She call'd to me and ſaid a Thief had taken ſomething: With that I purſu'd him: I ſaw him running up the Court and I overtook him.

Q. What paſs'd when you took him?

Evans. He fell on his Knees and begg'd I would forgive him

Q. Who was the Bundle taken up by? where was it when he was taken?

Evans. He threw down the Stockings in the Street, and *Coatham* took them up.

Thomas Coatham. I heard them cry ſtop Thief, as I was coming thro' the Court. and I ſaw the Priſoner run, with a Bundle and a Stick in his Hand, for which Reaſon I was afraid to take hold of him.

Q. Did you take up the Bundle? Did you ſhew it to the Proſecutor, and did he own the Stockings.

Coatham. Yes. He ſaid they were his. I was at this Time cloſe by the Priſoner, who fell on his Knees and begg'd Forgiveneſs.

John Manning. As I was coming by, I heard a Cry of ſtop Thief, and I ſtopp'd him: I ſaw him throw down the Stick, but I could not ſay I ſaw him throw down the Bundle.

Q. What did he ſay when you took him?

Manning. He cry'd out for Mercy and begg'd Forgiveneſs. Guilty.

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43. **Mary Pardoe** was indicted for ſtealing 4 l. in Money, the Goods of ——— *James.*

Sarah James (Daughter to the Proſecutor.) The Priſoner went away from my Father's on *Friday* was ſen'night.

Q. When did you ſuſpect her taking away the Money?

James. My Father was afraid *Mary Pardoe* had robb'd him, but being ſo very ill he could not come at his Breeches; and when I rais'd him up on Tueſday, he deſir'd I would look into his Breeches, to ſee what he had loſt. He had two half Crowns, a half Moidore, and nine Shillings and Six-pence, which were taken out, and 4 s. left. He deſir'd I would look into the Drawers, if ſhe had took nothing there: I ſaid I knew what Gold there was, but not what Silver: Accordingly I told the Money over, and we miſs'd 6 s. and 9 d. I went and found her in *Black-Boy-Ally*, and ſhe had got her Clothes out of pawn: She own'd the Fact and fell down upon her Knees to implore Mercy: She own'd 3 s. ſhe had taken out of my Father's Breeches and the 6 s. ſhe own'd.

Q. (*to William Lane.*) How old are you?

Lane. Seventeen. I ſaw the Priſoner at Mrs. *Foucher*'s take a Piece of Rag out of her Boſom, and put two or three Bits of Gold in her Mouth, and hold 13 or 14 s. in Silver in her Hand.

Mary Foucher. The Priſoner was a Servant to Mr. *Lovage*; ſaid, ſhe was come away from her Maſter's; call'd for two or three Pints of Beer; ſaid ſhe had nothing at all at her Maſter's, for that ſhe was ſtarv'd: But ſhe pull'd out the Rag out of her Boſom or Pocket, with 13 or 14 s.

Q. Did you ſee any Gold?

Foucher. No. I ſaw none. Guilty.

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44. **Jaſper Godby** was indicted for ſtealing a Handkerchief, the Property of *Collin Innys. January*, 10.

Collin Innys. On Friday the 10th Inſtant, juſt as the Back Gate of the *Royal Exchange* was ſhut up, I was talking with a Gentleman. *Moſes Elias* pointed to the Man that had taken my Handkerchief, which, and another, we took out of his Boſom; my own Handkerchief he did not diſpute, but ſaid the other was his own. We took him into the Conſtable's Houſe, that belongs to the *Exchange*: We ſearch'd him and found three more Handkerchiefs in his Pocket.

Q. What is your own Handkerchief worth?

Innys. It coſt 2 s.

Joſeph

Joſeph Threadcall. On the 10th Inſtant, at half an Hour paſt two, juſt as the *Change-Gate* was ſhut up, a Gentleman came in to enquire for the Conſtable; I told him I was one, and Mr. *Innys* charg'd me with the Priſoner, and deſir'd me to ſearch him; I took a Tobacco-Box and four Handkerchiefs from him; and we had him before Sir *Robert Ladbroke.*

Q. What Account did he give of theſe Handkerchiefs then?

Threadcall. He made trifling Excuſes, that he had found them.

Moſes Elias. Pleaſe you, my Lord, I ſee how the Priſoner pick'd the Gentleman's Pocket as he was talking to another.

Q. Could you ſee the Handkerchief?

Elias. I ſaw him take the Handkerchief out of the Pocket.

The Priſoner ſaid in his own Defence, that he found all theſe Handkerchiefs wrapp'd up in a Bundle. Guilty.

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45. **James Caſtelow** was indicted for ſtealing a Parcel of Tobacco upon *Buttle-Wharf.*

Q. (*to William May.*) What have you to ſay againſt the Priſoner at the Bar?

May. This Priſoner I took upon *Buttle-Wharf.*

Q. How long ago?

May. In *December.* I ſaw him ſteal 4 lb. of Tobacco; he appear'd like a Coal-heaver.

Q. How was it convey'd?

May. Some into his Waiſtcoat and ſome into his Breeches.

Q. What did you do with him?

May. I took him, and he made a great many Excuſes, and ſaid the Coopers and the Porters gave it him, for helping them to roll the Hogſheads up.

Q. (*to the Priſoner.*) Would you aſk any Queſtions.

Priſoner. Did you ever catch me before in any ſuch Thing?

May. Several Times.

Jeremiah Maſcle, Conſtable. I found about 2 lb. of Tobacco upon the Priſoner, and the reſt was taken away before I came.

Q. What did he ſay to you?

Maſcle. He told me Poverty was the Occaſion of it.

Q. Did you ever ſee him take any Tobacco before?

Maſcle. I did not.

Q. (*to the Priſoner.*) Have you any Witneſſes?

John Murgrey. I have known the Priſoner about 32 Years.

Q. What is his Character?

Murgrey. My Lord, I have known his Character to be very good. He has been a Servant to my Father's Uncle and in other Services, and I never knew any Thing diſhoneſt of him.

Q. (*to* ——— *Aſcenally.*) How long have you known the Priſoner?

Aſcenally. I knew him a Boy, and I knew his Father before him; I have known him here in *London* ſeven Years and I never heard of any Diſhoneſty of him in all my Life. Guilty.

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46. **Elizabeth Read**, otherwiſe **Davis**, was indicted for picking the Pocket of *John Thorn* of ſix Guineas and a Shilling.

John Thorn. My Lord, I was juſt come from Abroad; and when I came to Town, I walk'd with the Priſoner for moſt part of the Day.

Q. Where was your Quarters?

Thorn. Down in *Southwark.* When I came to Town I walk'd with the Priſoner all Day 'till Night: Then I went into one Mr. *Calloe's*, the Houſe where I lodg'd: Upon going up to bed I was very dry and call'd for a Pot of Beer; And two Women brought the Pot of Beer: There was a Wind came in at the Window and I got up to ſhut it.

Q. Was the Priſoner at the Bar one of the Women.

Thorn. Yes.

Q. What Time of the Night was this?

Thorn. Between Eight and Nine.

Q. Which of the Women came in?

Thorn. The Woman that came into the Room was put out of the Way, but this Woman at the Bar receiv'd my Money of the other Woman.

Q. Do you know the Perſon's Name that came into the Room?

Thorn. Yes. It was one *Mary Bell.*

Q. Did *Mary Bell* bring your Liquor into the Room?

Thorn. It was the Priſoner brought up the Beer to the Door and *Mary Bell* took it into the Room. When I had taken a Drink of Beer, they both went away; but while I got up to ſhut the Window, I ſaw *Mary Bell* take my Breeches.

Q. Where were your Breechees, upon the Bolſter?

Thorn. Yes. When I ſaw *Mary Bell* take my Breeches I was afraid my Money was gone, for ſhe threw them down in a great Haſte.

Q. Where was the Priſoner at that Time.

Thorn. The Priſoner was on the other Side of the Door, and *Mary Bell* deliver'd the Money ſhe took

took out of my Breeches to this Priſoner at the Bar.

Q. Did you ſee her deliver it?

Thorn. Yes.

Q. What was in your Breeches?

Thorn. Six Guineas in Gold, ſix Shillings, and a *French* Crown, which was not gone.

Q. What did you do, when you ſaw the Woman?

Thorn. She ſaid there was no Body here but me. But I ſaid, I ſee you deliver it to another Woman.

Q. Upon this you came down Stairs, did you not?

Thorn. There was a Door at the Foot of the Stairs, which they ſhut againſt me. Then the Miſtreſs of the Houſe came up making a great Noiſe for my Money, hypocritically.

Q. What become of this Priſoner at the Bar all this Time?

Thorn. They brought in the Priſoner, and aſked whether that was the Woman that had my Money.

Q. Where was you when you ſaw the other Woman give *Sarah Read* the Money?

Thorn. In my Room.

Q. (*to Elizabeth Read.*) Will you aſk the Proſecutor any Queſtions?

Priſoner. Aſk him whether he was not a-bed with *Mary Bell?*

Q. I aſk you whether any Woman was in Bed with you?

Thorn. There was none.

Q. Who brought up the Pot of Beer? I aſk you where *Mary Bell* was, when the Priſoner brought up the Beer? You inſiſt upon it, *Mary Bell* was not in Bed with you?

Thorn. She was not.

Thomas Walter. I was going to my Vault the 7th of *December* at Night, and while I ſat there, I heard the Priſoner at the Bar talk very merrily of the Money they had got of the Soldier. My Vault and theirs joined together.

Q. What did they ſay about it?

Walter. They wonder'd how the Soldier had got ſo much Money about him as ſix Guineas and ſix Shillings.

Q. (*to the Priſoner.*) Have you any Witneſſes to call?

Q. (*to Margaret Lloyd.*) How long have you known *Elizabeth Read* (the Priſoner) and *Mary Bell?*

Lloyd. *Mary Bell* ſaid, the Proſecutor was her Countryman, and he ſaid, that ſhe had pick'd his Pocket. She came down Stairs with her Boſom open; ſaid, that ſhe had been ſearch'd ſeveral Times. That at laſt, when he could not find the Money, he ſaid he was robb'd of two or three Guineas. So *Mary Bell* and he went up again together, and he ſaid to me and the Priſoner at the Bar, if we could find it, he would give us a Treat. While we were talking together, this *Mary Bell* gives him the Slip.

Q. Did you ſee *Mary Bell?*

Lloyd. This Woman (the Priſoner) and *Mary Bell* were ſitting by the Fire. Mr. *Calloe* ſaid, if *Mary Bell* was the Woman, why did you not take her up? But when ſhe came down, ſhe went away.

Q. (*to Lloyd.*) How came you in the Houſe?

Lloyd. I am a Lodger there.

Q. (*to Sarah Howe.*) Do you know the Priſoner at the Bar? Have you been converſant with her?

Howe. I have always known her to be a very honeſt Perſon. Guilty.

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47. **Richard Hemmings** and **Thomas Eyres** were indicted for ſtealing ſeveral Sets of Harneſſes, the Property of his Majeſty.

—— *Pool.* I am a Collar-maker; I made the Harneſs for his Majeſty, and for the Uſe of the Train of Artillery.

Q. What do you know of theſe Harneſſes? What do you ſay to the Leather Tuggs that are mention'd?

Pool. I cannot ſay, I know when they were ſtole; but they were deliver'd into Mr. *Arnold*'s Hands at the *Tower.*

Q. Were theſe the Harneſs and Leather Tuggs that were ſent to the *Tower?*

Conncil. I would aſk *Pool*, as there are many Harneſſes made of the ſame Kind, how he knows this particular Harneſs?

Pool. Theſe were made with an Iron Ring, and I never ſaw any ſuch.

William Roberts. Upon the 19th of *December* I was going into the Stable to look for a Shovel; I ſaw the two Priſoners at the Bar in Mr. *Smith*'s Houſe in *Paulin-Yard, Tyburn-Road*, take a Pair of Harneſs out of a Brewing-Veſſel. I aſked them no Queſtions how they came by this Harneſs. *Eyres* (the Priſoner) had a Pair of Harneſs belonging to the King upon the Horſes.

Q. Where was you when you ſaw *Eyres?*

Roberts. I ſaw him come out of *Paulin-Yard*, where he put his Harneſs at Night.

Q. Have you any Thing more?

Roberts. Says *Eyres*, you cannot take off the Harneſs of the Horſe, as you did out of the Brew-houſe Yeſterday. So, ſays I, is not your Horſe blind? So I went and told my Maſter, for I was afraid of my Life: But as I was going down, I ſaw the very ſame Horſe with this Harneſs.

Q. (*to Roberts.*) You ſay when you ſaw the Harneſs, you never ſaid any Thing to them?

Council. I would aſk you, Mr. *Roberts*, has not Mr. *Smith* run away ſince this Proſecution? Then I would aſk you, whether the Priſoner (*Eyres*) did not inform you that he had the Harneſs of Mr. *Smith*?

William Ford. I know nothing more than that I ſee the Harneſs taken off the Horſe.

Q. What became of this Harneſs?

Ford. The Harneſs is here.

Council. Did you never hear that *Smith* uſed to let out Harneſs?

Ford. No.

[The Harneſs was produced in Court.]

Q. (*to Pool.*) Were theſe the Harneſs you made?

Pool. Yes.

Q. (*to Roberts.*) Were theſe the Harneſs you took out of the Brewing-Veſſel of *Smith*'s in *Paulin-Yard*?

Roberts. Yes, my Lord.

Q. (*to Pool.*) Are you ſure this was the Harneſs deliver'd into the *Tower* of your making?

Pool. Yes, my Lord, I know it is the Property of the King.

Q. Did you ſee theſe Harneſs in *Smith*'s Brew-houſe, before you ſaw them on *Eyres*, (the Priſoner?)

Pool. No. *Eyres* told me he bought them of a Collar-maker in St. *Giles*'s.

Council. My Lord, one Part of the Boy's Defence is this, he ſays, he has been an induſtrious Boy, and that he uſed now and then to borrow a Harneſs of this *Smith*; that this *Hemmings* did own he borrow'd theſe Harneſs of *Smith*, and that he lent them to this Boy.

Q. (*to Benjamin Gilbert.*) Where do you live?

Gilbert. In *Paulin-Yard Paulin-Street* near *Oxford-Road.*

Q. I ſuppoſe you are acquainted with Mr. *Smith*? Do you know the Priſoner, *Eyres*?

Gilbert. I know them both very well, eſpecially *Eyres.*

Q. Which is *Hemmings*?

Gilbert. He ſtands on the left Hand.

Q. Have you had any Diſcourſe with them?

Gilbert. Never, but once at *Weſtminſter*, two or three Days after they were taken up.

Q. Do you know what Trade Mr. *Smith* was? Did you ever know that he let out Horſes? Did he ever let out any Harneſs?

Gilbert. I never knew that in particular.

Council. When did *Smith* abſcond?

Gilbert. The Day that the Priſoner was taken up.

Council. Mr. *Gilbert*, do you know *Eyres*'s Character? How he has got his Livelihood? What his general Character is?

Gilbert. He has the Character in the Neighbourhood, of a very honeſt Boy.

Council. (*to James Scot.*) What is *Eyres*'s general Character?

Scot. I never heard he was guilty of any Thing he is now charg'd with.

Q. Do you believe him to be a Perſon of a good or bad Character?

Scot. I neve heard any Ill of him.

Q. *to* (*John Beer.*) What is *Hemmings*'s Character

Beer. I believe him to be a Perſon of good Character.

Q. (*to Stephen Dow.*) How long have you known the Priſoner *Hemmings.*

Dow. I have known them both from their Infancy, and never knew any Harm by them.

Q. (*to John Millar.*) How long have you known *Hemmings*, and what Character do you give of him?

Millar. He was always a Pains-taking working Boy: I have known him theſe 18 Years.

Q. (*to Chriſtoper Williams.*) How long have you known *Hemmings*?

Williams. He work'd with me ſome Years, he had a very good Character.

Q. (*to William Bouzier.*) What have you to ſay to *Hemmings*'s Character?

Bouzier. I have known *Hemmings* 17 or 18 Years, and I never heard any Ill of him in my Life.

Q. Do you know them both?

Bouzier. Yes, and I believe them very honeſt.

Q. (*to Anne Hazlewood.*) How long have you known *Hemmings*, and what Character has he?

Hazlewood. I have known him from his Infancy, I believe him to be a very honeſt Perſon.

Q. (*to Roberts.*) Has Mr. *Arnold* a Stable near to that Place?

Roberts. Several. Acquitted.

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48. **Thomas Zell** was indicted for ſtealing two Gold Rings, a Pair of Buttons, *&c.* the Property of *John Munro*, *&c.* of *Ratcliff-Croſs.* On the 8th Inſtant.

Q. (*to Munro.*) Did you loſe any Rings the 7th of this Month.

Munro. I loſt two Rings, a pair of Buttons and a pair of Ear-rings. The 8th of this Month the Priſoner broke open my Maid's Cheſt. I keep a Publick Houſe at *Ratcliff-Croſs.*

Q. Was the Priſoner quarter'd with you?

Munro. Yes. He was with me for two Nights. The Maid went to make his Bed, and found a couple of

of Silk Handkerchiefs, which ſhe knew to be her own.

Q. What is your Maid's Name?

Elizabeth Curtis: She went to look in her Cheſt and found it broke open.

Q. How was it found out?

Munro. We charg'd the Soldier with this Robbery; then I took hold of him; and he own'd be-his Serjeant that he had broke open the Cheſt.

Q. What did he ſay about the Gold Rings?

Munro. The Serjeant ſaid, he had been whipp'd three Days before for ſtealing. Says the Serjeant to me, have you loſt any Thing yourſelf. I went to look and I miſs'd two Rings: He own'd before the Serjeant that he had ſold one of them in *King's-Street, Weſtminſter*, to one Mr. *Williams*. The Serjeant went along with him there and found that Ring.

Q. What is the Serjeant's Name?

Munro. Robertſon.

Q. (to Elizabeth Curtis.) Did you loſe out of your Pocket half a Guinea in Money, a Silver Seal, and three Silk Handkerchiefs?

Curtis. Yes. Two of the Handkerchiefs I found under the Feet of the Bed and the other in the Bed.

Q. Did you get your get Seal and Money again?

Curtis. The Money the Serjeant took from him, but the Seal he flung away.

— *Robertſon.* I happen'd to be at Mr. *Roſs*'s when the Lad was accuſed of breaking open the young Woman's Cheſt. I ſaw him with 5 s. 11 d. in Money, two half Crowns and Sixpence I took from the Knees of his Breeches. One of the Rings, miſſing by Mr. *Munro* from his Drawer, I found upon him; I have likewiſe got the Money I took from him. The Ring was produced in Court.

Q. (to Munro.) Is that your Ring?

Munro. Yes, 'tis my Ring indeed.

Q. (to Robertſon.) Was it the ſame Day?

Robertſon. Yes, the ſame Day.

Q. (to the Maid.) How much had you in your Cheſt?

Curtis. Three half Crown Pieces and three ſingle Shillings.

Q. (to the Serjeant.) You found two half Crowns and Sixpence you took out of the Knees of his Breeches. What did he ſay about the Seal?

Robertſon. He told me he flung it down the Sink in Mr. *Roſs*'s Kitchen.

Q. What did he ſay of the Girl's Cheſt?

Robertſon. He own'd he open'd it with a Chiſel.

Q. (to Mary Williams.) Where do you live?

Williams. In *King's-Street, Weſtminſter.* The Priſoner brought the Ring to our Houſe, and ſaid he found it in the Park.

Q. Have you got it?

Williams. Yes.

Q. Shew it to Mr. *Munro?*

Q. (to Mr. *Munro.)* Is that your Ring?

Munro. Yes.

Q. (to the Priſoner.) Will you aſk theſe Witneſſes any Queſtions? Will you call any Witneſſes?

Priſoner. I have nothing to ſay to the Witneſſes, nor have I any Witneſſes to produce. Guilty.

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49. **Joſeph Smith** was indicted for breaking open the Houſe of *Joſeph Oſborne* of *Clerkenwell-Cloſe*. On the 17th of *December*.

Q. (to Mary Oſborne.) Where is your Huſband's dwelling-Houſe?

Oſborne. In *Clerkenwell-Cloſe*.

Q. Do you know of its being robb'd at any Time?

Oſborne. It was robb'd on the 17th of *December*.

Q. In what Manner was it broke open?

Oſborne. When I firſt found it, I obſerv'd broke a Pain of Glaſs of the Cloſet-Window in the Garden, belonging to the Kitchen.

Q. When did you ſee the Window ſafe before?

Oſborne. It was ſafe when I went to Bed, but I can't be ſure of it.

Q. When did you find it open?

Oſborne. The Window was ſhut? I found the Pain out about Eight in the Morning.

Q. What was loſt?

Oſborne. A Copper-pot that ſtood in the Window, three Handkerchiefs.

Q. Where did you find theſe Handkerchiefs?

Oſborne. I found them in Pawn. The Handkerchiefs and Pot at two different Places.

Q. By what Means did you find theſe Things.

Oſborne. By his own Information.

Q. You ſuſpected him, upon that you had him taken up?

Oſborne. Yes.

Q. What did you do after you had him taken up?

Oſborne. We had him before Juſtice *Hole*.

Q. Did he own the Fault in general Terms?

Oſborne. Yes. He own'd that he had ſtole the Things.

Q. What were his Parents?

Oſborne. Silver-Spoon-makers. But he is a Vagabond and has nobody to take Care of him. Guilty.

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50. **Roger Galder** and **Mary Morgan** were indicted for ſtealing a Quantity of Linnen and Wearing

Wearing Apparel, the Property of *Elizabeth Hughes* of *Spur-Street* by *Leiceſter-Fields*, on the 2d of *Jan.*

Q. (to Elizabeth Hughes.) Did you loſe any Goods out of your Houſe? and what Time?

Hughes. On the 2d of *January.*

Q. Where do you live?

Hughes. In *Spur-Street* by *Leiceſter-Fields.*

Q. What did you loſe?

Hughes. A flower'd Linnen Gown and another Gown, a Petticoat and a Shift.

Q. Where were theſe Goods?

Hughes. In my Bed-Chamber up one Pair of Stairs.

Q. Did you meet with them again?

Hughes. Yes, Sir.

Q. Give an Account how you came by them again?

Hughes. Mrs. *Hunt* call'd me into the Yard, and I ſaw the Goods there; that is all I know; I do not know how the Priſoner got them.

Elizabeth Hunt. I am the Houſekeeper, Mrs. *Hughes* lodges with me.

Q. What do you know againſt the Priſoner at the Bar?

Hunt. The 2d of this Month, between the Hours of five and ſix, I was going croſs my Yard, and I ſaw the Priſoner at the Bar (the Woman, not the Boy) and being very much ſurpriz'd, I aſked her what Buſineſs ſhe had there. She told me that having came out of *Kent* ſhe came into the Yard to ſleep. I told her, I had been robb'd before, and ſhe ſhould not go out of the Yard till I had ſearch'd her. Then ſhe wanted to come by me, and as ſoon as ſhe did ſo, the Goods were under her.

Q. You know nothing then of *Galder* (the Boy?)

Hunt. No. I was the Evening the Robbery was committed, drinking a Diſh of Tea with Mrs. *Hughes*, and I aſked the Priſoner what ſhe did there, and ſaid, that ſhe had committed a Robbery, and that we would have her before the Juſtice; ſhe ſaid, ſhe came from *Kent*, and that a Boy, that had got in at the Window, and thrown the Goods into the Yard, was then in the Fields to receive them, when ſhe got out.

Q. (to Hannah Hughes.) Do you know any Thing farther?

Hughes. I opened the Bundle when I came down, and I knew them to be my Siſter's Goods.

Q. (to Elizabeth Gough.) How old are you? Do you underſtand what it is to take a falſe Oath? Suppoſe you ſhould ſwear or ſpeak any thing that is falſe?

Gough. I ſhall burn in Hell-Fire.

Q. Do you know this Woman, *Mary Morgan*, the Priſoner at the Bar? Do you know the other Perſon, *Roger Galder?*

Gough. Not before this Time. This Girl (the Priſoner) wanted to make a Bargain to go out a Thieving: At firſt, I ſaid, I would not, and afterwards, I ſaid, I would. And going along *Leiceſter-Fields* we met the Boy, *Roger.* The Girl (the Priſoner) ſaw the Entry-Door open of this Gentlewoman's Houſe, the Stocking-Shop: And the Girl and Boy went into the Yard, and ſo they got up the Ladder; I follow'd them to the Door to ſee which Way they went.

Q. Could you ſee them when they were in the Yard?

Gough. They got up the Ladder, and got over ſome Leads.

Q. Did they both get up?

Gough. Yes.

Q. Did you ſee them get up the Ladder?

Gough. Yes. But I only ſaw them go up the Ladder. They got into the Gentlewoman's Window.

Q. Did you ſee them?

Gough. No. But I heard the Girl ſay ſo. She ſaid ſhe got into the Gentlewoman's Window. And ſo the Boy had got ſomething up in a Bundle.

Q. Was you by the Yard?

Gough. I was the outſide of the Yard.

Q. How long were they gone?

Gough. About two Hours.

Q. What Time was this?

Gough. About Eight o'Clock. The Boy got the Bundle, and the Girl went down the Yard, and the Boy toſs'd them to her.

Q. How do you know that?

Gough. The Girl told me ſo.

Q. Did they ſtay two Hours?

Gough. Yes. about that Houſe and another.

Q. You did not ſee the Boy come down again?

Gough. No Sir.

Q. Who did you ſee have the Bundle?

Gough. I ſaw the Girl have the Bundle.

Q. Did you ſee the Boy meddle with that Bundle.

Gough. No Sir.

Boy acquitted. *Mary Morgan.* Guilty.

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51. **James Soloban** was indicted for ſtealing 3 lb. of Tobacco on the Keys, the Property of Capt. *Sutcliff*, on the 13th of *December.*

William May. As on the 13th Day of *December* I was ſtripping Tobacco for Capt. *Sutcliff*, on *Buttle-Wharf*, I ſaw this Priſoner ſculking about, and ſometimes he would give the Cooper a Hand, and

ſometimes

ſometimes the Porters. And every Hogſhead he came at, he pull'd Tobacco: And one of the Porters at work with him, told him, he ſhould ſend him to *Bridewell*. He went away and I run after him and ſearch'd his Pockets, and found ſome conceal'd in his Pockets and ſome in his leather Apron.

Q. How much Tobacco?

May. About 3lb.

Q. Did you ſee him take any out of Mr. *Sutcliff*'s Hogſheads?

May. Pleaſe you, my Lord, there were no other Hogſheads on the Keys. I brought him to *Dark-houſe-Lane* and there I charg'd —— *Maſchil* with him: The Priſoner deny'd this Charge.

Q. (to Charles Hazle.) What do you know of the Priſoner at the Bar?

Hazle. I have known him ſome ſmall Time, about half a Year.

Q. What do you know of him?

Hazle. I have known him for the Time he has been in *London*; he got his Bread upon the Keys by helping as a Porter.

Q. (to Mrs Hazle.) How long have you known the Priſoner?

Mrs. *Hazle.* Almoſt 30 Years, my Lord, in *Ireland*, and I have ſeen him about half a Year in *London*.

Q. Do you know any Thing of his Character?

Mrs. *Hazle.* I never knew any Thing againſt him.

Q. (to May:) Was this Man employ'd as a Porter?

May. I never ſaw him employ'd above once.

Q. (to Maſchil Conſtable.*)* How long have you known the Priſoner at the Bar frequenting the Keys.

Maſchil. I cannot remember him above two Months.

Q. Do you know that he was employ'd as a Porter?

Maſchil. I have known him employ'd for an Hour or ſo. Guilty.

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52. **James Woollard** was indicted for ſtealing an Iron Roaſting-Jack, the Property of *Elizabeth Nichols*, on the 22d of *December*.

Elizabeth Nichols. On the 22d of *December*, on *Sunday*, in Service Time, the Priſoner came into my Shop and took out a Jack.

Q. What Time of the Day?

Nichols. Between Eleven and Twelve. There was no Body at all in the Shop, the Door was ſhut to, and the Priſoner came in. This Gentleman ſaw him; I was not there.

James Wealy. My Brother, Sir, lodges with Mrs. *Nichols*. On the 22d of *December* I went up Stairs to ſpeak to him. When I came out of the Houſe, I went over the Way in order to go to Church. I ſtopp'd at the Church Door to hear a Gentleman's Servant read the *Gazette*. I obſerved this Lad (the Priſoner) come out of the Shop with ſomething under his Great Coat; I called to Mrs. *Nichols*, and aſked whether ſhe had loſt any Thing. She ſaid a Jack. I run after him almoſt as far as Chriſt's Church, and brought him back with the Jack.

Q. What became of the Jack?

Wealy. when he came back he left it in the Shop.

Priſoner. Pleaſe you, my Lord, I was coming along *Alderſgate-ſtreet*, and I met with one *Wilks*, who ſaid, he would give me 3 d. if I would fetch this Jack. And the 'Prentice gave it me. Guilty.

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53. **Ann Stanbury** was indicted for ſtealing two Shifts, *&c.* the Property of *Mary Cranford* of *Hampſtead*, on the 30th of *December*.

Anne Cranford. Anne Stanbury was with me as a Charewoman. Upon the 30th of *December* when I went up to Bed, I found a Pillow upon my Bed more than my own. I thought ſhe might take it away from her Lodging. I reckon'd upon her coming in the Morning as uſual. There were three Boxes of my Grand Mother's, which ſhe had left in my Care, when my Mother died. When I got up in the Morning, and came to go down Stairs, one of theſe Boxes was like to fall down: They were up two Pair of Stairs, between two Rooms. One of the Boxes I found uncorded and open'd; then I miſtruſted this *Anne Stanbury* had robb'd me. I went to her Lodgings after her, early next Morning, but ſhe had diſcharged her Lodgings and had not been home all Night. About the 3d of *January* I found her in *Bunnel-Row*. So I aſked her how the Pillow came upon my Bed, and why ſhe did not come as uſual. My Dear Miſtreſs, ſhe anſwer'd, I knew I had wrong'd you and I was aſham'd to ſee you. I told her of the Boxes: Indeed, my dear Miſtreſs, ſays ſhe, I was in Liquor and I uncorded them; but I will tell you what I have done with the Things. And ſhe ſaid, ſhe would go with me to the Pawn-broker and fetch them out, if I would not let the Pawn-broker give her Trouble. So I went the next Morning to one Mr. *Kieſe*'s, Pawn-broker in *Cheek-Lane*. I went with her to another Pawn-broker, and ſhe called for two Parcels more, at one *Sharp*'s on *Saffron-Hill*. Then ſhe ſaid, ſhe had given me all. I told her I could not releaſe her 'till I

I had

had ſeen whether theſe were all the Things. Then I ſent for my Mother; when ſhe came there was not half the Things. Then I went with her to the Alderman, and ſhe ſent to *Kieſe*'s for a Holland Apron, the ſame Pawn-broker ſhe was at before. Then ſays ſhe, my dear Miſtreſs, I can tell you of more, but you cannot have them, for I have ſold them out-right to a Pawn-broker in the *Strand*. She often uſed to ſay to me, ſhe queſtion'd not, but there were a great many good Things in theſe Boxes.

Q. You have got part of theſe Things then?

Anne Cranford. Yes.

Q. (to Mary Cranford of Hamſtead.) Have you look'd on theſe Things that were pawn'd, and in the Cuſtody of your Grand-Daughter?

Mary Cranford. Yes. They are mine, I left them at my Grand-Daughter's.

Q. How many Boxes were there?

Mary Cranford. Three, and the Goods I have mention'd were in one of theſe Boxes.

Q. (to the Priſoner.) What have you to ſay for yourſelf?

Priſoner. My Miſtreſs us'd to lend me Money, I being under Neceſſity. My Miſtreſs order'd me to pawn them.

Q. (to Anne Cranford.) She therefore pawn'd theſe Things at your Deſire?

Anne Cranford. No indeed, pleaſe you my Lord, I ſhould not have bidden her break theſe Boxes open; I have, indeed, lent her Money; 10s. a Week ſhe has had of me. Guilty.

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54. **Anne Perry** was indicted for ſtealing a Holland Shift, *&c.* the Property of *Bartholina Cromarty*, on the 8th of *January*.

Q. (to Bartholina Cromarty.) When did you miſs theſe Goods?

Cromarty. Laſt Monday was ſen'night in the Morning. We took her into our Service this Day fortnight about Three o'Clock in the Afternoon.

Q. Did you find any of your Goods upon her when you took her up?

Cromarty. Yes. That Cloak upon her Back, and the Handkerchief, I believe, ſhe has now round her Neck.

Q. And did you know them to be your Goods?

Cromarty. Yes. And when I ſpoke to her of them, ſhe gave me very ill Language, and ſaid, I might take them away.

Q. As to the other Goods, a Long-Lawn Apron, two pair of Women's Pumps, one pair of Silver Buttons, did you find theſe?

Cromarty. No. I ſaid to her, how can you ſerve me ſo? She told me ſhe deſir'd to be baniſh'd, ſhe was weary of living here.

Priſoner. My Lord. Theſe People are very notorious, they keep a notorious Bawdy-Houſe. Neither did I ever wrong them of any Thing. Miſtreſs, did you not tell me, that you took two Creatures into your Houſe that run away with your Goods. My Lord, I ſerv'd my Miſtreſs two Years ago and I went to her again: She was making Complaint that ſhe had loſt ſeveral Things, and ſhe ſaid her Huſband had got a Writ againſt me. My Lord I don't chuſe to be arreſted in a wrong Cauſe. My Miſtreſs ſaid to me, my Dear, pray don't get yourſelf into a Jail.

Q. (to Anne Anderſon.) What do you know of taking theſe Goods, were they found in her Poſſeſſion?

Anderſon. She had the Cloak upon her Back, the Shift upon her Back, and the Cap upon her Head.

Q. (to the Priſoner.) What have you to ſay for yourſelf?

Priſoner. I have nothing to ſay, but that I am got into vile Hands. She, the Witneſs, is one of the Pliers of the Houſe, and is oblig'd to ſwear what they would have her.

Q. Have you any Witneſſes?

Priſoner. No. My Lord, ſhe ſaid ſhe would not hurt me. Guily.

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55. **Mary Gurney** was indicted for ſtealing a Sconce, the Property of *Elizabeth Howard* of *Bridges-Street*, the Corner of *Clear's-Paſſage*.

Q. (to Howard,) Did you loſe e'er a Glaſs-Sconce?

Howard. Yes. The Priſoner went into my Room and took a large Sconce-Glaſs.

Q. Where was this Sconce? Was you in the Room; and was the Room next the Street?

Howard. It was a Back-Door up the Stairs.

Q. Do you know any Thing againſt the Priſoner at the Bar?

Howard. Here is the Perſon that catch'd her with it, *Judith Cabino*.

Judith Cabino. I ſaw the Priſoner come down Stairs with the Glaſs.

Q. Did you know how ſhe came into the Room? You ſaw her coming down Stairs with the Sconce in her Hand, and ſhe left the Glaſs on the Stairs and came down? Did you meet her coming down Stairs?

Cabino. I aſk'd her who brought her up Stairs: She ſaid a Gentleman gave her the Glaſs and a Handkerchief to bring down Stairs.

Q. What became of the Glaſs?

Cabino. It was taken from her.

Q. What are you?

Cabino

Cabino. I am a Servant in the Houſe.

Q. Was there any Gentleman up Stairs?

Cabino. No.

Q. Are you ſure of that? How do you know there was no Gentleman in the Room about that Time?

Cabino. There was no Creature at that Time.

Q. (to the Priſoner.) Will you aſk this Witneſs any Queſtions?

Priſoner. Pleaſe you, my Lord, I was going thro' the Playhouſe-Paſſage, and a Gentleman took my Handkerchief off my Neck, and ran up Stairs with it. This Gentlewoman keeps a diſorderly Houſe; when I went in after the Gentleman, and went up one or two Steps of the Stairs, this Gentlewoman took hold of me and ſaid, are you coming to rob the Houſe?

Q. Is this Houſe near the Playhouſe?

Gurney. Yes, my Lord, 'tis the Corner Houſe as you go into *Bridges-ſtreet.*

Q. (to the Priſoner.) You ſay you was going on an Errand thro' the Playhouſe-Paſſage, and how then?

Gurney. Pleaſe you, my Lord, there was a Gentleman ſtanding at the Back Door, and he took hold of my Handkerchief; I had an old white Handkerchief: As I was purſuing the Gentleman, this Mrs. *Howard* took me into her Coffee-Room, and ſearch'd me, but found nothing upon me. Her Maid came down Stairs about half an Hour after.

Q. (to the Priſoner.) You ſay you run into the Coffee-Houſe becauſe the Gentleman aſſaulted you. You charged the Gentlewoman with the Handkerchief?

Priſoner. I told her I would have her Houſe indicted.

Cabino. As I was going up Stairs with my Miſtreſs's Gown I found the Glaſs on the Stairs.

Q. (to the Priſoner.) Was you up Stairs?

Priſoner. I only went up two Steps of the Stairs.

Q. Who brought the Glaſs down Stairs?

Cabino. That Woman (the Priſoner.)

Q. (to the Priſoner.) When the Glaſs was brought down Stairs, what was ſaid to you?

Priſoner. I believe you had this Glaſs to take away. I never was in the Room.

Q. (to Cabino.) How came the Priſoner in the Room? ſhe talks of a Gentleman being up Stairs?

Cabino. There was no Gentleman.

One of the Gentlemen of the Jury ſaid, the fixing up Sconces being a Branch of his Buſineſs, the Girl could not well have taken down the Sconce by herſelf. Acquitted.

56. **Suſannah Tidmaſh** was indicted for ſtealing a Pair of Grates, the Property of —— *Loat*, on the 31ſt of *December*.

Loat. My Lord, I have been ſeveral Times robb'd of late. My Servant told me in the Evening I was robb'd of a Pair of Grates. My Servant found the Grates at Mrs. *Athill*'s Houſe.

Q. What is your Servant's Name?

Loat. Mary Peters. My Servant ſaid, ſhe had put them out in the Day for Sale. I ſaw the Grates at Mrs. *Athill*'s the next Day.

Q. Did you aſk her how they came there?

Loat. Her Daughrer told me that her Mother had bought them the Day before.

Q. Do you know the Priſoner at the Bar?

Athill. Yes, my Lord.

Q. Was ſhe at your Houſe at any Time?

Athill. She was at our Houſe on New Year's-Day in the Morning with the ſaid Grates to ſell them, and my Daughter bought them.

Q. Was you preſent when ſhe bought them?

Athill. I gave my Daughter a Shilling to pay for the Grates.

Q. (to Suſannah Athill, the Daughter.*)* Did you buy the Grates of the Priſoner, *Tidmaſh?*

Suſannah Athill. Yes, my Lord.

Q. Did you know whoſe Grates they were?

Suſannah Athill. No, my Lord, till Mr. *Loat* came to demand them the next Day.

Q. What did Mr. *Loat* ſay?

Suſannah Athill. He made a Demand of the Grates, and ſaid they were his.

Q. What did you ſay to him?

Suſannah Athill. I ſaid my Mother was not at Home, and I could not deliver them. I told him I knew the Perſon by her paſſing often by the Door.

Q. If you did not know her Name, how did you find her out?

Suſannah Athill, I enquir'd at her Uncle's, who lived near our Houſe, ſo we found her out. And the Priſoner at the Bar was the Perſon that brought the Grates to our Shop.

Q. (to Loat.) That Grate you came to demand of Mrs. *Athill,* was it your Grate?

Loat. Yes.

Q. Tell us how you came to find out the Woman.

Loat. Mrs. *Athill*'s Daughter refuſed giving me the Grate, not thinking it proper till ſhe had adviſed with her Mother, who in about an Hour's Time came to my Shop, for I deſir'd ſhe would ſend her to me. When ſhe came, I aſked her whether ſhe knew the Perſon ſhe bought them of. She ſaid ſhe was a little Woman, remarkable for ſore Eyes.

The Priſoner ſaid, ſhe was ſent by another Woman to ſell her Grate. But *Loat* and Mrs. *Athill* ſaid, ſhe confeſs'd before the Juſtice that ſhe took it, and if they would make it up with her, ſhe would pay the Shilling when ſhe could. Guilty 10*d.*

57. **Philip**

57. **Philip Burne** was indicted for ſtealing a Flock Bed, &c. the Property of *Anne Freeman* of *Dudley-Court* St. *Giles*'s, on the 20th of *December*.

Freeman. I live in *Dudley-Court*. I took the Room of one *Ruth Burne*. I loſt there a Flock Bed, a Feather Bolſter, a pair of Sheets, two Quilts, and a pair of Blankets.

Q. Did you furniſh the Room yourſelf? How long have you been in this Room?

Freeman. I took it ſix Weeks before Chriſtmas.

Q. Did you leave your Lodgings; how came it that your Bed was gone.

Freeman. I was oblig'd to go out to daily Labour, as Waſhing and Ironing, and whilſt I was out, my Bed was gone.

Q. Did you go out in the Morning?

Freeman. Yes. About Six o'Clock and return'd about Seven in the Evening.

Q. Was there any Thing elſe gone?

Freeman. I did not miſs any Thing beſides what has been mention'd.

Q. Did you ever ſee the Priſoner at the Bar?

Freeman. Yes. I ſaw him three Days before he took my Bed and Bedding away.

Q. Did you know what Relation he was to your Landlady?

Freeman. No.

Q. When you came home at Night, was you not much ſurpriz'd to find your Bed gone; did you not aſk your Landlady about it?

Freeman. Yes. And ſhe told me he (the Priſoner) took it away.

Q. And pray did not ſhe tell you the Reaſon why he took it away?

Freeman. She ſaid he had been ſtripping and robbing of her likewiſe.

Q. Did this *Burne* and your Landlady appear to be Man and Wife?

Freeman. No. For they were always jarring together.

Q. Was not the Bed the Priſoner took away, that upon which he and his Wife lay?

Freeman. No, my Lord.

Q. *(to Jane Perkin.)* What do you know in Relation to the Priſoner at the Bar doing any Thing?

Perkin. I know, my Lord, I ſaw the Bed upon his Back.

Q. When?

Perkin. When the Officer came to ſerve a Warrant upon him.

Q. Where did you ſee it upon his Back?

Perkin. In *Short*'s-*Gardens Drury-Lane:* And I think about the 20th of *December*, I am not ſure of the Day.

Q. Did you know the Priſoner.

Perkin. I knew him to be the very Man.

Q. Did you know whoſe the Bed was he had upon his Back?

Perkins. I can't ſay I did, becauſe it was ty'd up in a Quilt. But I believe *Anne Freeman* to be the Owner.

Joſſiah Morphew, Conſtable. I had a Warrant againſt the Priſoner for an Aſſault. This *Anne Freeman* came and ſaid he had got her Bed and Bedding away on his Back. Accordingly I came down *Drury-Lane*, and this *Jane Perkin* ſhew'd the Priſoner in *Short*'s-*Gardens:* She ſaid, run, run, he is gone under the Gateway: I catch'd him by the Collar and ſaid, I have a Warrant againſt you Friend, and he threw the Bed down: Then we had a ſort of a Tuſsle together, and I ſaid to Mr. *Fiſher*, I charge you in the King's Name to aſſiſt; accordingly his Man came and we had him before the Juſtice. I know not what became of the Bed and Bedding after.

Q. *(to the Priſoner.)* would you aſk the Witneſs any Queſtions?

Priſoner. My Lord, aſk her, whether ſhe was not preſent when I was marry'd the 3d of *July*; becauſe that Woman (the Witneſs) ſwore 3 l. 3 s. againſt me.

Q. *(to the Priſoner.)* You ſay this *Mary Burne* is your Wife, How long did you live there?

Priſoner. About a Week, no longer, for I was put into *White-Chappel* Jail.

Q. How came you take away that Bed?

Priſoner. I aſk'd my Wife for a Bed and ſhe would not give me one. This Woman, the Witneſs, is her Lodger, ſhe is not worth a Groat in the World. Acquitted.

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58. **John Glaſwell** was indicted for ſtealing a Watch, the Property of *Joan Underwood* of *Lime-Houſe-Hole*, on the 16th of *January*.

Q. *(to Underwood.)* Did you loſe a Watch at any Time?

Uunderwood. I loſt it on Thurſday the 16th Inſtant about Four o'Clock in the Afternoon.

Q. Where was this Watch?

Underwood. It hung upon a Nail in the Chimney-Corner.

Q. Where do you live?

Underwood. At *Lime-Houſe-Hole*.

Q. At what Time of the Day was this?

Underwood. It was pretty near Four o'Clock, as near as I can gueſs.

Q. When did you miſs it?

Underwood. About ten minutes after the Priſoner was gone.

Q. Give

Q. Give an Account how it was found? Do you know the Priſoner at the Bar?

Underwood. I never ſaw him in my Life before he came to my Houſe along with one *Singleton.*

Q. What did they come for?

Underwood. I was particularly acquainted with *Singleton*, who was going down with this Man to *Blackwall.*

Q. *Singleton* then you knew, and he brought this Priſoner with him?

Underwood. Yes.

Q. Tell me what you know further of the Matter?

Underwood. Having Occaſion to go up Stairs, I left the Priſoner and *Singleton* in the lower Room. There was a Screen that parted the Fire-Place and the Window. Upon my coming down again, this *Nicholas Singleton* was talking with me about his Buſineſs at *Blackwall*, and in the mean while this other Fellow (the Priſoner) went out. I ſaid to *Singleton*, why your Friend is gone, he never took his Leave of me? As we both ſat down by the Fire, I clapp'd my Eyes to the corner Place, and miſſing the Watch, I ſaid, you have play'd the Rogue with my Watch; I ſaid, I can take my Oath I had it when you came into the Houſe. I ſent for my Huſband and Brother to purſue after the Priſoner, and they found the Watch upon him.

John Eaſtham. I am the Watchman.

Q. Did you purſue the Priſoner?

Eaſtham, This poor Man *(Singleton)* that was charged on Suſpicion, with the Watch, coming down, we went in Purſuit of the Priſoner at the Bar, and we found him in *Cable-ſtreet* at his own Houſe. And pleaſe you, my Lord, I tax'd him about the Affair, but he would make no Confeſſion: He was carried before the Magiſtrate: He would not be ſearch'd a great while; but upon ſearching him I found the Watch under his left Arm, and here it is to be produced.

Q. When you found it under his Arm-pit, what did he ſay then?

Eaſtham. He ſaid he was in Liquor and did not know what he did.

Q. *(to the Priſoner.)* Will you aſk theſe Evidences any Queſtions? What have you to ſay in your Defence?

Priſoner. It was ignorantly done.

Q. Have you any Witneſſes?

Priſoner. No. I was diſguiſed in Liquor and did not know any Thing of it. Guilty.

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59. **Anne Gray** and **Mary Nutcher** were indicted for ſtealing two Pair of Sheets, &c. the Property of *Abraham Lacy*, Victualler by *London-Wall*, on the 20th of *December.*

Sarah Lacy. I am the Wife of *Abraham Lacy.*

Q. Did you loſe any Table Cloths, Sheets, &c.

Lacy. Yes, my Lord.

Q. When?

Lacy. On the 20th of *December* laſt.

Q. From whence did you loſe them?

Lacy. From my own Houſe.

Q. What is your Huſband?

Lacy. We keep a Publick Houſe by *London-Wall.*

Q. How came you to ſuppoſe the Priſoner had taken them?

Lacy. As ſoon as I had miſſed them my Huſband went to Pawn-brokers in the Neighbourhood, and found ſome of the Things.

Q. At what Pawn-broker's?

Lacy. We found one Sheet at one *John Wight's.*

Q. Where was the other?

Lacy. At Mr. *Draper's.*

Q. Where did you find the reſt of the Things?

Lacy. In *Anne Gray's* Houſe.

Q. What did you find there?

Lacy. Four Towels, three Table-Cloths and a Pillow.

Q. Were you preſent when theſe Things were found?

Lacy. I was at *John Wight's.*

Q. You only was inform'd that the reſt were found in the other Places?

Lacy. *Anne Gray* herſelf told me ſhe had pawn'd them at *Draper's.*

Q. What did ſhe ſay ſhe had pawn'd?

Lacy. One of the Sheets at *Draper's.*

Q. What did ſhe ſay at the ſame Time?

Lacy. She told me *Mary Nutcher* had brought them to her.

Q. Have you any Thing to ſay againſt *Mary Nutcher* from your own Knowledge?

Lacy. No, my Lord.

Q. *(to John Wight.)* What have you to ſay againſt the Priſoner?

Wight. On the 20th of *December* Mr. *Lacy* came to my Houſe, and aſked if any Sheets or Table Cloths were brought to my Houſe. Next Day there was a Sheet brought to my Houſe by *Anne Gray* (the Priſoner.)

Q. Did ſhe bring it to pawn?

Wight. To pawn, my Lord. I went to Mrs. *Lacy* and ſhe own'd the Sheet.

Q. What ſaid the Priſoner to it?

Wight. She ſaid nothing at all in the Houſe. It was pledg'd to me, I only inform'd of it.

Q. What became of that Sheet?

Wight. I inform'd Mrs. *Lacy* of it, and ſhe took the Sheet away.

Q. (to Mrs. *Lacy.)* Are you ſure that is your Sheet?

Lacy. Yes, my Lord.

Q. Upon your ſeeing that Sheet, what did you do with the Woman?

Lacy. She went home with me and was carry'd before an Alderman.

Q. What did the Priſoner *(Anne Gray)* ſay to it, did ſhe ſay nothing to it?

Lacy. I cannot tell.

Q. (to John Cheney.) What have you to ſay?

Cheney. Sir. On the 21ſt of *December*, Mr. *Wight* (the Pawnbroker) came to inform Mrs. *Lacy*, that there was a Woman come to pawn a Sheet, and if ſhe would be ſo good as to come, ſhe might find her Sheet.

Q. When the Priſoner was before the Alderman, did ſhe own or deny it?

Cheney. She deny'd her taking of it, and ſaid *Mary Nutcher* had brought her theſe Things.

(to Mary Dugard.) What have you to ſay againſt the Priſoner?

Dugard. I was at work at Mrs. *Lacy*'s that Day, and when I had done my Work, I went up to make her Bed; after that I lock'd the Door and went up another pair of Stairs to make another Bed; but coming down I ſaw Mrs. *Lacy*'s Door open, (at which I was ſurpris'd) and the Curtain bulk'd out as if ſomebody had hid himſelf. Upon that I went down and told the Maid, I was afraid ſomebody was in the Room. We were afraid to go by ourſelves, we call'd the Man, and all three went up, and we miſs'd the Things off the Bed.

Q. What did you miſs?

Dugard. a pair of Sheets off the Bed, a Pillow and Pillow-Caſe.

Q. Do you know what became of them?

Dugard. No, my Lord. But the Pawnbroker Mr. *(Wight)* came to inform that a Sheet was brought to him.

Q. (to John Emmot.) What have you to ſay againſt the Priſoner?

Emmot. I was the Officer and charg'd the Priſoner. I went to the Priſoner's Houſe, and we ripp'd a Flock-Bed, and there we found three Table-clothes and four Towels.

Q. Do you know them again, if you was to ſee them?

Emmot. Yes. I believe I ſhould.

Q. Was Mr. *Lacy*'s Wife preſent when you found them?

Emmot. Yes. My Lord.

Priſoner. Pleaſe you my Lord to aſk whether I lay upon a Bed in the *Compter*? You ſay it was under the Bed where I lay. I deny that I lay on a Bed in the *Compter.*

Q. (to Henry Swain.) What are you?

Swain. A Gentleman's Servant, I lodg'd at Mrs. *Lacy*'s.

Q. Were you at the *Compter?* The Priſoner ſaid that ſhe did not go to Bed.

Swain. Anne Gray own'd every Thing, except this Sheet.

Q. She own'd where ſhe pawn'd the other Things, did ſhe own ſhe ſtole them?

Swain. No. She ſaid *Mary Nutcher* had brought them to her.

Q. Was there any Woman in the Room or Bed?

Swain. Yes. My Lord, and the Woman ſaid they judg'd *Anne Gray* had taken the Sheets, and that it was warm when it was taken up.

Q. Was it warm, as if it had been in a Bed?

Swain. It was warm, as if it had been folded round ſome Perſon's Body.

Q. (to Henry Swain.) Was there any Bed in the Room where you ſaw this Sheet?

Henry Swain. There was a Cabbin or Place where they lay.

Q. (to Mr. *Draper.)* What have you to ſay to *Anne Gray?*

Draper. She pledg'd a pair of Sheets with me for 5 s. that is all I know of it.

Q. (to the Priſoner.) What have you to ſay for yourſelf?

Priſoner. Pleaſe you my Lord, *Mary Nutcher* was at my Houſe, and ſaid ſhe had pawn'd a Cloak, and brought theſe Things to me to pawn, to get her Cloak out of pawn, that ſhe might go out on *Saturday* Morning.

Court. (to the Priſoner.) The Evidence ſeems preſumptious that you are the Perſon that ſtole the Goods, unleſs you can lay the Charge to ſomebody elſe; but you are to prove it; or bring ſome Perſons to your Character.

Priſoner. On *Saturday* Morning I was committed to the *Compter* for three Weeks, and I never ſaw the Sheet.

Court. 'Tis not only that, but the reſt of the Sheets you pawn'd. Now you are to account for the Poſſeſſion of thoſe that were found upon you; which you do by charging them on the other Priſoner. But you ought to have ſome Witneſſes to prove that, or ſome Perſons to your Character.

Q. (to Elizabeth Thomſon.) What have you to ſay for *Anne Gray?* What are you?

Thomſon. I live with my Mother.

Q. What

Q. What is your Mother?

Thomſon. She goes a Nurſe-keeping, and I take in Plain-work.

Q. How long have you known the Priſoner?

Thomſon. As long as I can remember.

Q. What is ſhe?

Thomſon. She always worked hard for her Living. She has four Children. She worked at her Huſband's Trade, who is an Upholſterer; but he is gone away, and the Children, I believe, are in the Workhouſe.

Q. How long have they been there?

Thomſon. About a Fortnight, I believe, ever ſince ſhe has been under Confinement.

Q. Do you know the other Priſoner, *Nutcher?*

Thomſon. I never ſaw her before but in the *Compter* with *Anne Gray.*

Q. Have you been often converſant with the Priſoner? Has ſhe the Character of an honeſt Woman?

Thomſon. Yes, I never heard otherwiſe.

Q. Has ſhe no other Friends of your Acquaintance?

Thomſon. My Mother was here, but was oblig'd to go away to a Gentlewoman that is a dying. Acquitted.

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61. **George Banniſter** was indicted on Suſpicion of ſtealing a Parcel of Sugar, on the 15th of *January.*

Q. *(to Griffith Morris.)* What have you to ſay againſt the Priſoner?

Morris. I was trucking of Sugars at the Keys: There were ſeveral at Work with me at *Bear-Key*, and one of them a Soldier; and this Man (the Priſoner) came to ſee the Soldier, and fetch'd a Quartern of Gin: It was almoſt dark when he came the ſecond Time: My Partner ſaw him go into the Warehouſe where the Sugar was, but he (the Priſoner) did not perceive it. My Partner ſaid, have an Eye to the Place, there is a Man gone into the Building. As I was going down towards it, when I was come oppoſite to the Door, the Priſoner came out of the Warehouſe; upon that I ſtopp'd him. I told him, I believ'd he had ſomething there he ſhould not have. I catch'd hold of him, and he had about 14 lb. of Sugar, the ſame as in the Warehouſe. Some of it was thrown down, and about a Pound I found in his Pocket, of the ſame Sort.

Q. Did you carry him before a Juſtice?

Morris. Before an Alderman.

Q. Are you ſatisfy'd there was no Sugar in the Cloth in the Warehouſe?

Morris. None.

James ——. My Lord, on the 15th of *January*, between four and five, the Priſoner came upon the Keys and he fetch'd a Quartern of Gin, to drink with his Acquaintance that was at work there. He return'd with the Pot and Glaſs out of the Yard; I believe he was gone four or five Minutes; I ſaw a Perſon go into the Warehouſe, and I met the Priſoner coming out, and found 14 lb. of Sugar upon him.

Q. Did you find the Sugar upon him?

James ——. It was in his Pockets, but he went up to the Warehouſe and emptied his Pockets, but he ſtill had a Pound in his Pocket.

Q. Are you ſure there was no looſe Sugar? Were theſe Sugars the ſame, as what you were packing up? Do you apprehend there was ſo much taken out of the Hogſhead as that?

Morris. Yes, my Lord.

Q. *(to the Priſoner.)* Would you aſk the Evidence any Queſtions?

Priſoner. Did he ſee me take any or fling any down in the Warehouſe?

Morris. There was no Sugar lying in that Place where we found the Sugar afterwards.

The Priſoner gave an Account how he came to go into the Warehouſe; and being aſked how he came to go in twice, he anſwer'd, it was for the ſame Purpoſe. Being aſked how he came by that Sugar, he pretended ſomebody gave it him. He inſiſted upon his Innocency, and deny'd the Charge. But had no Witneſſes nor any one to his Character. Guilty.

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62. **James Harriſon** was indicted for ſtealing three Truſſes of Hay, the Property of *Bridget Miller* of *Thames-ſtreet*, on the 20th of *December.*

Q. *(to Bridget Miller.)* What have you to ſay to the Priſoner at the Bar?

Miller. I have loſt Hay ſeveral Times, but never knew by whom till the 17th of *December* laſt, the Priſoner at the Bar came to my Houſe and confeſs'd that he had that Morning taken from me three Truſſes of Hay.

Q. *(to the Priſoner.)* What have you to ſay for yourſelf?

Priſoner. My Lord, I never took any before.

Q. *(to* Mrs. *Miller.)* Do you know any Thing of the Boy?

Miller. No, my Lord. Guilty.

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63. **Mary Peak** was indicted for ſtealing four Butt-Soles, the Property of *George Jarvis.*

Q. *(to Jarvis.)* What Leather is that the Priſoner ſtands indicted for?

Jarvis. They are Butt-Soles.

Q. When were they ſtole?

Jarvis. I cannot tell. But the Witneſs will give you an Account.

Q. *(to Anne Maria Perry.)* What ſay you to the Priſoner, as to the ſtealing theſe Things? Do you know any Thing of theſe four Pieces of Leather.

Perry. The Priſoner ſaid that ſhe had paid for them.

Q. Did you know her before?

Perry. Yes.

Q. How long?

Perry. About ſix Weeks.

Q. Do you know any Thing of the Goods the Man has here in Poſſeſſion?

Perry. The other Witneſs will give an Account of them.

Q. *(to John Smith.)* What do you know of theſe four Pieces of Leather?

Smith. I work in a Stall next the Street, and this Perſon (the Priſoner) came by me and ſtood a conſiderable Time; and ſaid; Do you want any Thing I have got; I ſaid, let me look upon them.

Q. When was this?

Smith. About five Weeks ago. I aſk'd her what ſhe would take for two Pair. She aſk'd me 8 d. I gave her 7 d. I aſk'd her whether ſhe came honeſtly by them. She ſaid, ſhe did. She aſk'd me if ſhe ſhould call again the latter End of the Week. I ſaid ſhe might. I never ſaw her 'till Thurſday laſt; ſhe came again, and aſk'd me, do you want any more Leather. I anſwer'd I could not tell, it was ſo cold; but I carry'd one of theſe Soles to a Leather-Cutter's; and he told me, he was ſure it was ſtolen; and deſir'd me, when ſhe came again, I would ſtop her: Accordingly, ſhe came; but I ſaid, go into the publick Houſe and I will come to you. She went in and I bought a Pair of her mark'd 7 d. for a Groat: When I carry'd them to the Leather-Cutter, he bid me pay for them and he would come immediately: And when he came, he look'd upon the two Pair ſhe had in her Hand, and aſk'd her what ſhe would have for them; 1 s. ſhe aſk'd, and he bid her 8 d. With that, he juſt touch'd her by the Hand and ſaid, How come you by theſe Goods: He inſiſted to know where ſhe bought them: She ſaid, ſhe bought them of Mr. *Jarvis*'s Maid on *Snow-Hill.*

Q. *(to Perry.)* What have you to ſay to theſe Things, do they belong to your Maſter, did you ever ſell them to the Priſoner?

Perry. No. She never bought nor paid me a Farthing for theſe Goods. What ſhe bought of me was ſixpenny, but theſe are ninepenny and twelvepenny.

Q. *(to the Priſoner.)* Now make your Defence.

Priſoner. Pleaſe your Lordſhip. I bought them of the Maid, a pair at a Time and never any more.

Q. Have you any Witneſſes to prove it; What Buſineſs are you of?

Priſoner. I bought old Clothes and old Shoes and us'd to have them mended.

The Reaſon the Priſoner gave that ſhe had not Witneſſes was, that ſhe heard ſhe was to lie 'till next Seſſions. Guilty.

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64. **Thomas Bozeley** was indicted for ſtealing 2 lb. of Tobacco on the Keys, the Property of Perſons unknown.

Q. *(to William May.)* What have you to ſay againſt the Priſoner?

May. Pleaſe you my Lord. I was landing Tobacco of *Jonathan Forewood*'s. I was Watchman, and this *Thomas Bozely* was landing the *Eaſt-India-Company*'s Goods, and I gave him a Caution ſeveral Times in the Morning. I ſaw him ſometimes take out two or three Handfuls of Tobacco.

Q. When?

May. On *Thurſday* laſt I gave him a Caution ſeveral Times. I ſaw him take a Handful more out of a ſingle Hand of Tobacco; and then I run by and laid hold of him, but he would not give it me: And I ſaid, if he did not, I would cary him to the Landwaiter. The Landwaiter laid hold of him, and pull'd about 2 lb. of Tobacco out of his Pockets.

Q. *(to the Priſoner.)* Have you any Witneſſes?

Q. *(to William Daniel.)* What have you to ſay of the Priſoner?

Daniel. He is a very honeſt Man as far as I ever knew of him.

Q. *(to John Wilſon.)* What Knowledge have you of the Priſoner?

Wilſon. I have dealt with him theſe two Years and I never heard any ill of him.

Elizabeth Daniel. I have known the Priſoner theſe four Years.

Q. What is his Character?

Daniel. That of a very honeſt Man, who has behav'd well, and taken Care of his Wife and Family. Acquitted.

My Lord deſir'd the Priſoner to take this along with him, that if he follow'd this Practice of ſtealing Tobacco, he ſhould be ſent to plant it.

*** The great Number of Trials this Seſſions makes it abſolutely neceſſary to publiſh them in two Numbers, the latter of which will be publiſh'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On FRIDAY the 17th, SATURDAY the 18th, and MONDAY the 20th of *January*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Second SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER II. PART II.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

[Price Six-pence.]

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

65, 66. **Joſeph Mayſon** and **Sarah Bullock** ſtand indicted, for that they, on the 15th of *December*, broke open the Houſe of *William Clarke*, of *Roſemary-Lane*.

Q. (to Richard Skelton.) Where do you live?

Richard Skelton. In *Roſemary-Lane*.

Q. Has *William Clarke* any Houſe there?

Skelton. He is Landlord of the Houſe, and he lives in the Houſe.

Q. I would aſk you, whether this Cellar you rent of him communicates with the other Part of the Houſe?

Skelton. Yes. Sometimes I go in one Way, ſometimes another.

Q. I ſuppoſe it is an open Door to the Street? Then you make Uſe of either Way?

Skelton. Yes.

Q. Do you know any Thing of the Houſe being broke open? When was it broke open?

Skelton. As near as I can gueſs about aMonth ago.

Q. In what Manner was it broke open? The Cellar or upper Part?

Skelton. The Cellar was broke open.

Q. In what Manner did you find it broke open?

Skelton. They had broke the Haſp off the Lock.

Q. Deſcribe in what Manner, what Haſp?

Skelton. They endeavour'd to draw the Staple of the outer Door towards the Street.

Q. In what Manner was it broke?

Skelton. They broke the Haſp of it, they endeavour'd at the Staple, and they could not.

Q. What Haſp do you mean?

Skelton. The Haſp that goes over the Lock.

Q. When did you find it in this Manner?

Skelton. Between Six and Seven in the Morning.

Q. Did you ſhut it yourſelf?

Skelton. Yes.

Q. Was it dark when you found it in that Manner in the Morning?

Skelton. Yes. I was going to Market.

Q. What Market?

Skelton. Spitalfields Market. We have a Rag-Shop in our Cellar, and oppoſite to that we keep a Green Shop, facing the Cellar.

Q. In this Cellar you keep your Rags? You was going to Market to buy Greens?

Skelton. Yes, my Lord, I always go myſelf.

Q. Upon going there you found your Rag Cellar open?

Skelton. Yes.

Q. Did it ſtand wide open, or only loos'd? Did you find it ſo looſe that any Body might enter it?

Skelton. Yes.

Q. What did you loſe?

Skelton. I believe near a hundred Weight of fine Linnen Rags.

Q. What did you do then?

Skelton. I went to my Wife and ſaid we are robb'd, we are ruin'd.

Q. Miſſing theſe Things, what did you do?

Skelton. I did all that lay in my Power. I had my Rags cried; but could find nothing of them; I went all up and down our Way to put a Stop to the buying of them.

Q. What have you to ſay to the young Boy, *Mayſon?*

Skelton. I was not there when he had done it.

Q. Did you find any of the Rags?

Skelton. In a Room up one Pair of Stairs, by the *Red Cow* in *Church-Lane*, I found the Perſons that ſtole them.

Q. What did you ſay to them?

Skelton.

Skelton. I ſaid, what did you do with my Rags? You were ſeen to go over *Tower-Hill* this Morning betimes. No, ſays one, do you think that I have them?

Q. Have you any Thing to ſay to either of the Priſoners in Relation to theſe Rags?

Skelton. My Lord, they both ſold them, and there is now one in Court that bought them. One *Stephens.*

Q. How long after did you find them at *Stephen's*?

Skelton. On Chriſtmas Day in particular.

Q. What is Mr. *Stephens*?

Skelton. He buys Rags.

Q. Are you ſure they were the ſame you loſt?

Skelton. Pleaſe you my Lord as near as I can gueſs they were.

Q. Upon finding them there what did you ſay to Mr. *Stephens?*

Skelton. I let him know I believ'd they were mine. But Mr. *Stephens* ſaid, you need not look over them, for I have bought them. Wherefore the Priſoners were taken up on this Occaſion. *Sarah Bullock* own'd, that ſhe had brought the Rags to Mr. *Stephens.*

Q. What Juſtice was you before?

Skelton. A Juſtice at the other End of the Town, I don't know his Name.

Q. Did *Sarah Bullock*, the Priſoner, give any Account how ſhe came by them?

Skelton. She ſaid, ſhe did not ſteal them. She brought them to the Boy's Room. The Boy and Woman liv'd all together.

Q. You know nothing of the Boy being concern'd.

Skkelton. No. I cannot ſay.

Q. (*to Thomas Stephens.*) What have you to ſay againſt the Priſoners?

Stephens. The Priſonner, *Bullock*, and another Woman brought the Rags to me.

Q. When did they bring them?

Stephens. On a *Monday* Morning, between Eight and Nine o'Clock. By Report it was the ſame Day the Robbery was committed, about a Month ago.

Q. What did you ſay, when they came?

Stephens. The Woman ſaid, ſhe had got ſome Rags; I ſaid, where do you uſe to ſell them? and they ſaid they ſold them where they could have ready Money. They were half a Hundred and 12 lb. neat Weight. While I was gone up Stairs the Woman the Priſoner went out, as ſhe ſaid, to ſpeak to her Maſter, to know whether he would take the Money.

Q. What did they ſay?

Stephens. They took the Money and went away, and I thought no more of it. But on Chriſtmas Day Mr. *Skelton* came to my Houſe with a Search-Warrant.

Q. Are you ſure that was the Woman?

Stephens. I am ſure it was, there being only that Womrn and one more.

Q. (*to James Bullock.*) What have you to ſay?

Bullock. On the 16th of *December* laſt, *Joſeph Mayſon* and I went out between One and Two in the Morning, and as ſoon as we came to the Cellar, I took out a pair of Pincers, with which I ſtrove at the Staple.

Q. What, to draw it?

Bullock. Yes. But I could not draw it. I put in the Pincers again between the Lock and the Haſp, and broke the Lock in two; with that, *Joſeph Mayſon* went down: I gave him the Bag, and he fill'd it about three parts full.

Q. What Age is he?

Bullock. He is between 16 and 17.

Q. You ſay he went down and fill'd the Bag and brought it up to you?

Bullock. Yes. And I ſhov'd the Door too, and carry'd the Bag home to *Red-Cow-Ally.*

Q. What Time did you carry this?

Bullock. Between the Hours of One and Two; and when we came back again, before Two o'Clock, he fill'd the Bag as before. We both went back and down again.

Q. Did he fill the Bag?

Bullock. Yes, my Lord, about three parts full, and brought it to me up Stairs again, and we ſhut the Door too: With that, my Lord, we went home to my own Room with the Rags. At Six o'Clock I ſet out from my own Room and went down into the Coal-Yard, to my Mother's Room, and I deſir'd my Wife and my own Siſter to go with the Rags: My Wife took the Rags in my Apron herſelf: I put the Bag full upon *Mayſon's* Head and the Remainder in my Apron my Wife took.

Q. And where did they carry them?

Bullock. To a Shop in St. *Giles's*, and they brought me Word, if I would take 2 d. ¼ the Pound the Man would buy them. The Man where I took them from, gave 3 d. the Pound for them. I gave the Word, they ſhould bring me ſo and ſo: With that they brought me 12 s. and 6 d. And as my poor Mother was in Want I gave her the odd 6 d.

Q. How much had *Mayſon* of the Money?

Bullock. Six Shillings.

Q. What Time were they ſold?

Bullock. About Nine o'Clock.

As the Wife of *Bullock* had done nothing but by the

the Direction of her Husband, she was acquitted. *Mayson*, Guilty **Death**.

67, 68, 69. **John Joel, Joseph Mayson** and **John Hudson** stand indicted for breaking open the House of *Edward Wilson* of *East-Smithfield*, on the 19th of *December*.

Q. (*to Wilson.*) Where is your House?

Wilson. At the *Black Horse* in *East-Smithfield*.

Q. Was your House broke open?

Wilson. Yes.

Q. When?

Wilson. On the 19th of *December*, the Day after the Fast.

Q. In what Manner was it broke open?

Wilson. There was a Quarel of Glass taken out of the Casement of the Window of my lower Room.

Q. What then?

Wilson. Then an't please my Lord, my Neighbour that liv'd opposite to me, coming home early the next Morning, saw it.

Q. By what Time in the Morning did you find it otherwise?

Wilson. My Neighbour call'd to me between One and Two o'Clock in the Morning. I found the Quarel taken out and the Casement open.

Q. Did you not miss any Thing? Did you not miss a Pewter Dish, a Pewter Plate, a Pewter Mustard-Pot, a China Cup and Saucer, an Earthen Dish and a Drinking Glass, all your Property? Having lost all these Things, what have you to say against these Prisoners?

Wilson. I saw none of them 'till they were brought to my House. I know that little one.

Q. Are you sure they are the three Prisoners at the Bar?

Wilson. I know the two little ones on the Right Hand.

Q. Which of them did you not see?

Wilson. I did not see *Joel*.

Q. How did they behave?

Wilson. They own'd the Fact before the Justice.

Q. In what Manner did they own it?

Wilson. They own'd they were at the doing of this Fact, and that they took part of the Money the Things were sold for.

Q. (*to James Bullock.*) What have you to say to this Robbery?

Bullock. *Joseph Mayson* the 19th of *December*, the Day after the Fast, lent me a broken-pointed Penknife. I got upon this Gentleman's Bulk, the Prosecutor, at the *Black-Horse*; with that I took the Knife and open'd the Lead, and took out a Pain of Glass; and then I put in my Hand and open'd the Casement: I took out a Pewter Plate, a Pewter Dish and a Drinking Glass, a China Cup and Saucer, and a half Pint-Pot, a Pewter Pot and Earthen Dish: The Pewter Plate and Pewter Dish I took myself, and *Joel* held the Candle, while I open'd the Window and took the Pewter Plate and Pewter Dish out: Then *Joel* got up himself and took out the Glass and China Cup and Saucer, *&c.*

Q. Where was *Mayson*, did he do any Thing?

Bullock. *Mayson* receiv'd some of these Things. The Man facing the *Black Horse* saw us, and follow'd us: Then I call'd *Joel*, and he laid with me 'till next Morning. *Mayson* said, he was going to the other Side of the Water to his Sister; and that she had sold the Things for half a Crown.

Tellinson Torvey. The Fast Day at Night we went over the Water and we stay'd playing at Cards 'till between One and Two in the Morning. I live opposite to Mr. *Wilson*'s, by the *May-Pole*: Before we could put the Fire out, I heard one call thro' the Window to light a Candle; I said my Mistress and I had been out late. It was *Bullock* that spoke, I could swear to him among a Thousand. I seeing a Light at my Neighbours Door, look'd out and said, the *Black-Horse* is broke open. They would not stir 'till I open'd the Door; then they all run away, and *Joel* was upon the Bulk handing down the Dish. *Mayson* confess'd the Fact before me in Mr. *Wilson*'s House. *Joel* did not speak in my hearing. Guilty **Death**.

---

70. **Mary Wright** was indicted for stealing a Shift, *&c.* the Property of *Frances Hilliard* of *Wood-Street*, by *St John*'s, *Westminster*, on the 12th of *November*.

Q. (*to Hilliard.*) Are you the Wife of *Joseph Hilliard?* What did you lose?

Hilliard. A Linnen Cap, an Apron and a Shift.

Q. When did you lose them?

Hilliard. On the 12th of *November*.

Q. Where were they when you lost them? Where were your Lodgings; and how came the Prisoner into your Room?

Hilliard. She had no where else to sit.

Q. When did you first miss your Things?

Hilliard. When I came home at Night. The Prisoner confess'd before the Justice, that she took and sold them in *Rag-Fair*.

Q. Where were they?

Hilliard. In a little Box. There was nothing of any Value besides what she took.

Q. (*to*

Q. (*to Sarah Browning.*) What do you know of the Priſoner at the Bar?

Browning. Pleaſe you my Lord, this *Frances Hilliard* lodg'd in my Houſe. She came to our Houſe and deſir'd I might let her ſtay 'till *Joſeph Hilliard* came home; and I told her, that if ſhe would waſh for me the next Day, ſhe ſhould abide with me.

Q. Did *Frances Hilliard*, when ſhe came to you, ſay nothing more than that ſhe had loſt her Apron?

Browning. When ſhe examin'd, ſhe found that ſhe had loſt other Things.

Q. Did you charge her with taking away theſe Goods?

Browning. Yes. This Woman, the Day ſhe found her, charg'd her with her Child, that ſhe had drawn away.

Q. What did ſhe ſay?

Browning. I did not ſee her that Night, but ſhe confeſs'd before Juſtice *Manley*, that ſhe ſold the Things in *Rag-Fair.*

Q. (*to the Priſoner.*) What have you to ſay?

Priſoner. I am innocent of the Affair.

Q. Have you any Witneſſes?

Priſoner. I have not a Friend in the World.

Acquitted.

---

71. **Alice Cunningham** was indicted for ſtealing a Flannel Petticoat, the Property of *Rice Evers* of *Long-Ditch*, *Weſtminſter*, on the 20th of *December.*

Q. (*to Rice Evers.*) Have you any Thing to ſay againſt the Priſoner at the Bar?

Evers. About Five o'Clock in the Evening, when I came home, the Petticoat was gone.

Q. (*to Elizabeth Wright.*) What have you to ſay againſt the Priſoner at the Bar?

Wright. This was the Woman that came in accidentally. I ſaw her take it; I went and fetch'd her back to the Shop.

Q. (*to the Priſoner.*) Would you aſk the Witneſs any Queſtions? She took the Petticoat, it ſeems, upon you.

The Priſoner had little or nothing to ſay in her own Defence. Guilty 10d.

---

72. **William Stonehouſe** was indicted for ſtealing two Pewter Diſhes, &c. the Property of Mr. *Griffin*, of *Petty-France*, *Weſtminſter*, at ſundry Times.

Q. (*to Mary Griffin.*) Did your Huſband loſe any thing? When did you loſe theſe Things?

Griffin. At different Times: We loſt two Diſhes, four Plates, and two Smoothing Irons.

Q. Where did you live?

Griffin. At the *Coach and Horſes*, *Petty France*, *Weſtminſter.*

Q. What did you loſe at any other Time? Four Plates you ſay, the 4th of *Novemuber*; three Plates at another Time? Do you know who took them away?

Griffin. I know they were ſold to two Pewterers.

David Studdard. I am the Conſtable that took up the Priſoner.

Q. Where did you take him?

Studdard. He lodg'd at *Griffin's.* I took him and carry'd him before Juſtice *Manley.*

Q. (*to George Beak.*) What do you know againſt the Priſoner at the Bar?

Beak. The 9th of *November*, he (the Priſoner) brought four Plates to me to ſell.

Q. What Plates were they?

Beak. They were pretty old, there were no particular Marks upon them, neither had I any Suſpicion of them. I gave him 2 s. and 4 d. ½ for them.

Q. Did he appear as a Soldier when he came to you?

Beak. Yes. I aſk'd the Priſoner about them; he told me they were his Brother's.

Q. (*to Richard Penſon.*) What are you?

Penſon. A Pewterer, 'Prentice to Mr. *Tyſon*, *King-Street*, *Weſtminſter.*

Q. Give an Account of what you know of the Priſoner at the Bar?

Penſon. Upon the 9th of *November* he offer'd three Pewter Plates, and when he gave them me, I examin'd the Mark; and he told me I needed not to be afraid to buy them, they were his Brother's.

Q. Did you buy them?

Penſon. Yes, my Lord, I gave 2 s. and ½ for them.

Q. (*to Mary Griffin.*) Are theſe your Plates? In whoſe Poſſeſſion have theſe Plates been?

Griffin. In mine.

Q. Are theſe the Plates, what are the Marks?

Griffin. S. M. G. The ſame as he ſaid was his Brother's Name, and S. M. G. is my Huſband's Name and mine.

Q. (*to the Priſoner*) Would you aſk theſe Witneſſes, the two Pewterers, you ſold theſe Plates to, any Queſtions?

The Priſoner call'd for no Witneſſes, and had nothing to ſay in his own Defence. Guilty.

---

73. **Elizabeth Hilliard** was indicted for ſtealing

ing a Cotton Gown, the Property of *Sarah Reynolds*, on the 18th of *December*.

Q. (*to Thomas Reynolds.*) What did you lose?

Thomas Reynolds. Nothing, but only a Gown.

Q. (*to Sarah Reynolds.*) Did you lose a Gown at any Time.

Reynolds. Yes.

Q. Where did you lose it?

Reynolds. In the Yard.

Q. How came it in the Yard?

Reynolds. I hung it out to dry.

Q. When did you lose it?

Reynolds. Last Fast-Day, my Lord.

Q. (*to John Wallis*, Constable.) What do you know of this Matter?

Constable. I know nothing more than taking the Prisoner.

Q. (*to Anne Harrison.*) What do you know of the Prisoner at the Bar?

Harrison. There was an Outcry in the next House; and she, the Prisoner, run away and hid herself directly when the Gown was amissing; she hid herself in the Cellar.

Q. (*to the Constable.*) Where did you find her?

Constable. In *Lead-Court*. She gave the Gown to me and begg'd for God's Sake to let her go, and she would never do any such Thing any more.

Q. (*to Sarah Reynolds.*) Is that your Gown?

Reynolds. Yes.

Q. (*to the Prisoner.*) Have you any Thing to say for yourself.

Prisoner. No. Guilty.

---

74. 75. **Mary Cripple** and **Sarah Bennet** were indicted for robbing *Jane Bradstreet* of Sheets, *&c. December* 18.

Q. (*to Bradstreet.*) Do you know this Prisoner, *Mary Cripple?* Did you let her any Lodgings?

Bradstreet. Yes. Of 20 d. *per* Week.

Q. When did you let them?

Bradstreet. About the 18th of *December* last,

Q. Did any Body lodge with her in these Lodgings?

Bradstreet. She took it for her and her Husband. My Lord, she went by several Names, but she writes under her Hand, that Cripple was her Name.

Q. When did you miss any Goods out of the Lodging?

Bradstreet. Hearing an ill Character of her, I said she should not be in my House. I went into the Room, and said to this *Sarah Bennet*, where are the Sheets that were on the Bed? She said they were in Pawn, and she would get them out.

Q. What Day did *Sarah Bennet* come to visit this Woman?

Bradstreet. About the 18th of *December*.

Q. Did you let these several Things, in the Indictment, with your Lodgings?

Bradstreet. Yes. When they went to take Lodgings at my Neighbour's, that Neighbour heard, that they had brought in some of my Goods, which are mention'd in the Indictment, and that *Sarah Bennet* had sold the Quilt and other Things for 2 s. 9 d. by the Direction of *Mary Cripple*. My Lord, I told *Mary Cripple* I had no Mind to hurt her, and said if I had my Goods, I would not go before the Justice.

Elizabeth Williams. I never knew these People in my Life before they took a Room of me. They took it the 17th Day of *December*, and they brought in nothing that Night, but the next Night they did; a Bed and some odd Trifles.

Q. How far do you live from *Jane Bradstreet?*

Williams. I live in the Neighbourhood.

Q. What did they bring in?

Williams. They brought a Bed, a Chair and some Trifles. Next Morning as I was in Bed I heard a Noise. Upon that, I enquir'd, and they carried out the Covering of the Bed and Chairs, except the Bed and Pillow: I heard that they brought in Goods that were my Neighbour's, and I went and enquir'd, and I confin'd these two Women in my House till the next Morning; then Mrs. *Bradstreet* came and brought a Man with her, and they went to her House.

Q. (*to Sarah Bennet.*) What have you to say for yourself?

Bennet. They hired me to sell these Things, and I sold them in *Moorfields* for 2 s. that is all I know of the Matter.

Mary Cripple. When I went out of Doors, Mrs. *Bradstreet*, when I came back, had stripp'd my Room of all my Goods. Mrs. *Bradstreet* wanted me to give her a Note of 40 s.

Q. (*to Elizabeth Williams.*) Can you particularly recollect the Day you let these Lodgings of yours?

Williams. As near as I can remember, it was last Monday was sen'night.

This great Difference in Point of Time set aside this Evidence. Acquitted.

---

76. **Elizabeth Doughty** was indicted for stealing two Pair of Shoes, the Property of *Peter Galopine*, on the 12th of *December*.

Q. (*to Peter Galopine.*) What have you to say to the Prisoner?

Galopine.

Galopine. I ſhall only ſwear to my own Property.

Thomas Uſher. On *December* the 12th, between Twelve and One, as I was ſitting in Mr. *Galopine*'s Compting-Houſe I ſaw a Woman, the Priſoner, walk ſoftly out of Doors; I immediately follow'd her, and laid hold of her, and I found the Shoes in her Lap.

Q. What did ſhe ſay?

Uſher. She ſaid it was the firſt Time ſhe had ever done any ſuch Thing.

Galopine. I have loſt a great many Pair of Shoes.

Uſher. She muſt have gone up for theſe Shoes ſeven or eight Stairs.

Q. (*to the Priſoner.*) Would you aſk theſe Witneſſes any Queſtions.

The Priſoner had nothing to ſay in her own Defence, but that ſhe underwent many Harſhips. Guilty.

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77. **John Robinſon** was indicted for ſtealing ſome thin Cheeſe, the Property of *Iſaac Ogden* of *Whitechapel*, on the 15th of *December*.

Iſaac Ogden. I miſſing my Cheeſe and hearing ſome Noiſe in the Street, went out and took the Cheeſes upon the Priſoner. He confeſs'd the Fact. I carried him before Juſtice *Quarril.* He confeſs'd he took the Cheeſe from the Bulk, and handed it down to the other Boy.

The Priſoner had nothing to ſay for himſelf, neither had he any Witneſſes. Guilty 10d.

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78. **Mary Perring** was indicted for ſtealing a Pair of Sheets, *&c.* the Property of *Catharine Nicholſhip.*

Q. (*to Catharine Nicholſhip.*) What did you loſe?

Nicholſhip. A Pair of Sheets, a braſs Candleſtick, *&c.* They were all produced in Court.

Q. When did you loſe theſe Goods?

Nicholſhip. I don't know when they were loſt. I miſſed them laſt *Monday* ſen'night.

Q. How came you to ſuſpect the Priſoner at the Bar?

Nicholſon. She was my Lodger.

Q. Where did you find your Goods?

Nicholſhip. At the Pawnbroker's. She told me ſhe took them away, and what they laid there for. Acquitted.

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79. **Thomas Sackwell**, of *Penitent-Street*, *Ratcliff-Highway*, ſtands indicted for unlawfully and willfully exerciſing Part of the Office and Function of a Popiſh Prieſt, againſt a Statute made and provided in that Caſe, in the Reign of King *William* III. to prevent the Growth and Spread of Popery.

Q. (*to Edward Addiſon.*) Pray what have you ſeen the Priſoner at the Bar do at any Time?

Addiſon. I have ſeen him act with Crucifixes. It was done in *Ratcliff Highway* in a Room of his own Houſe in *Penitent-Street.* I have never ſeen him act any Thing abroad any where. I have ſeen a Parcel of People come in of a *Sunday* Morning.

Q. What are you? What was you formerly?

Addiſon. I was a Proteſtant from my Cradle.

Q. Can you fix the Time when you ſaw this.

Addiſon. It was about two Years ago, my Lord.

Q. Now tell me what you have ſeen him do, when theſe People came to his Houſe?

Addiſon. There has been a Baſon of Water, and as they came in, they dipp'd their Hands in this Water, and after that I have ſeen them kneel down, and they have taken Beads out of their Pockets, and there was a Parcel of Images, and they ſeem'd to me to be made of Wax. Their Beads hung upon their Arms.

Q. What then?

Addiſon. I have ſeen them reckon their Beads.

Q. Where were the Images placed?

Addiſon. Upon a pretty long Table he had.

Q. How many were there of thoſe Images.

Addiſon. I believe there were about ſeven, and I believe they were made of Wax.

Q. When this Preparation was made, what did you obſerve of this Priſoner at the Bar?

Addiſon. I have ſeen him walk backwards and forwards with a Crucifix in his Hand. He read in an unknown Tongue, that I could not underſtand a Word that he ſpoke. It ſeem'd to me as if it was all Latin.

Q. Did he hold the Crucifix in his Hand?

Addiſon. In his Hand, pleaſe you my Lord.

Q. You don't underſtand Latin yourſelf?

Addiſon. No, my Lord. Then they all kneel'd down and went to Prayer.

Q. In what Language did he read Prayers.

Addiſon. In an unknown Tongue.

Q. Did he kneel down as well as the People?

Addiſon. Yes. My Lord. From the Poſture they were in, I judg'd it was Prayer.

Q. Did he hold the Crucifix in his Hand when he read Prayers?

Addiſon. He held it down, pleaſe you my Lord.

Q. Did you obſerve any other Perſons to hold a Crucifix in their Hands.

Addiſon.

Addiſon. No. Only that Man, the Priſoner, my Lord.

Q. Pray did you know any of this Congregation?

Addiſon. Yes. There were three that lodg'd in the ſame Houſe; a Man and his Wife and a ſingle Woman.

Q. I want to know how you knew theſe People?

Addiſon. I lodg'd in the Houſe, pleaſe you my Lord. He wanted to turn my Wife and I to his Way of Thinking, from a Proteſtant to a Roman; And told me that was the beſt Way to ſave my Soul and go to Heaven. And told me, that if I continu'd in the Proteſtant Way, I ſhould be d——n'd to Eternity: But if I would be of his Opinion I ſhould have the Holy Ghoſt come down upon me, and I ſhould be as wide awak'd as could be, and that the Holy Ghoſt ſhould breathe three Times in my Mouth, and reſt for the Space of a Minute or two, and then the ſame again; and I ſhould be in a great Agony of Pain, my Lord: And the Priſoner ſaid, he acted in *Lincoln's-Inn-Chapel*, when the Prieſts have been taken ill, and at *Spitalfields*, my Lord.

Q. When did he ſay this to you?

Addiſon. At the ſame Time, pleaſe you my Lord.

Q. Do you know any Thing farther?

Addiſon. He told me, he acted at ſeveral Places in the Country; while he went in the Way of buying of Hair.

Q. Did he acquaint you what he was doing when he was in his Room?

Addiſon. He told me, he was brought up a Romiſh Prieſt ever ſince he was 10 Years of Age.

Q. Do you know any Thing more?

Addiſon. There was a Male Child brought in to be chriſten'd.

Q. What, the ſame Day?

Addiſon. No. Of another Day, pleaſe you my Lord.

Q. When was that?

Addiſon. I take it to be Sunday following, to the beſt of my Memory.

Q. You ſay the Male Child was brought in to be chriſten'd, what did he do?

Addiſon. He took the Child into his Arms naked, and there was a little Gallypot that ſtood upon the Table, and he croſs'd the Child ſeveral Times, and ſaid ſome Expreſſions in an unknown Tongue.

Q. What was there in the Gallypot.

Addiſon. Whether it was Water or Oil I cannot tell.

Q. Where did it ſtand?

Addiſon. The Gallypot ſtood upon the Table.

Q. Did you obſerve any Sponſors there, or any Thing of that Kind?

Addiſon. No, my Lord. Then they kneel'd down and went to Prayer.

Q. Did you obſerve no Godfathers, nor nothing of that?

Addiſon. No, my Lord. But they continu'd in their Way of Praying, about 13 or 14 Minutes, to the beſt of my Knowledge.

Q. Pray did you give him any Reaſon to imagine that he would convert you?

Addiſon. Yes, an't pleaſe you my Lord. I told him I would conſider of it. No further Satisfaction I ever gave him. But as I was brought up a Proteſtant, I deſign'd to die in it. When he got up from Prayer, he ſaid a few Words in an unknown Tongue. And the Women that were there, curtſy'd to him, and one of the Men on going away gave him a Crown or half a Crown, I cannot ſay.

Q. Do you know any Thing farther?

Addiſon. Nothing more about that.

Q. (*to the Priſoner*) Will you aſk him any Queſtions?

Priſoner. Pleaſe you, my Lord, he has not ſpoken one Word of Truth, in what he has declar'd.

Q. (*to Addiſon*) You was preſent at this Chriſtning, and preſent there before the People begun. How many were there?

Addiſon. Thirteen or fourteen.

Q. Was the Child brought in naked?

Addiſon. Brought in in Flannel: And was given to him naked. He held it upon his Right Arm and put his Finger in the little Gallypot.

Q. Do you know any of the Perſons that were preſent there?

Addiſon. No.

Q. So you don't know whether they were *Romans* or not?

Addiſon. That I cannot ſay or ſwear.

Q. Have you any other Witneſſes?

Addiſon. My Wife, the Witneſs, is dead and buried.

Priſoner. I was bred an *Iriſhman*; ſerved my Time at *Newcaſtle upon Tyne*. After I came up to *London*, I follow'd my Buſineſs, and kept four or five Journeymen; but met with many Loſſes. When I took i the Proſecutor, I took him in upon Charity: His Wife was an aged Woman. He pretended to go into Buſineſs as a Painter, and I never receiv'd but 18 d. of him. When he went away, I took Pity on him, and I gave him a little Gin. At the other Lodgings they went to, I heard his Wife died for Want. Pleaſe you, my Lord, I got a Lodger

a Lodger of mine to help him to carry a Linnen Bundle of Rags and Things they had to carry, and I ſaid, Mr. *Addiſon*, I hope you will make me Amends when it is in your Power. Upon this, I went once or twice to the other Lodgings. He had not got into Buſineſs, and there was no Relief from me. My Lord, the Time he abſconded from the other Lodgings, he took ſomething more than he ſhould have done, but I cannot teſtify it: His Landlord is here, he can: But one Time I met him in Rag-Fair, I ſaid, Mr. *Addiſon*, I hear you have got into Buſineſs, and he huffed and went away from me. I never ſaw him ſince, which is near a Year and a half ago; but laſt *Friday* was a Month he came down to my Houſe, and went to a Friend of mine; he told my Friend he was come to pay me my Money, which was 3 l. 10 s. Upon this, my Friend ſent his Boy with him to my Houſe; he told my Wife a fine Story, that he had married a Wife, and that he had got 300 l. with her, and he would make me a Recompence to the laſt Halfpenny: My Wife deſired him to ſtay longer; but he deſired I might come up to him to the Sign of the *Boat*; ſo I ſent my Wife to this Houſe, and they ſent to the Place where he order'd them, and he came to my Wife, and ſhe call'd for a Pint of Beer, and ſhe would have him drink. She ſaid, I have brought you a Receipt; ſays he, I never pay Money to a Wife. So when he came himſelf, he told me he would go and fetch my Money; I went out of Doors to make Water; he brought three Men and ſeiz'd me, and would not let my Wife nor any Perſon know where they were going; and they carried me before Juſtice *Burdus*. Says the Juſtice, he has ſworn ſo hard againſt you, that I muſt commit you. I will commit you to *New-Priſon*, that is the eaſieſt Place I can commit you to.

Priſoner. James Griffith.

Q. (*to the Priſoner*) What do you call *James Griffith* to prove?

Priſoner. To prove my Buſineſs.

Q. (*to Griffith*) Do you know the Priſoner?

Griffith. I have ſeen him when he has come to *Addiſon*, in order to get the Money that he owed him.

Q. Have you heard any Converſation between *Addiſon* and the Priſoner about his Debt?

Griffith. This *Addiſon* lodg'd in my Houſe, but he was in ſuch Circumſtances at that Time that he had nothing to help himſelf, and I got his Wife buried for him. And after ſhe died, I gave him a clean Pair of Sheets, and he ſtaid ſome Time afterwards, and kept the Key for a Time, and when he deliver'd me the Key one of the Sheets was gone.

Q. You know nothing of the Priſoner but as he came to enquire after *Addiſon*?

Griffith. No, my Lord, nothing elſe.

Q. (*to Andrew Lambert*) Do you know any Thing of the Priſoner at the Bar?

Lambert. Yes, my Lord, I have had Dealings with him for many Years.

Q. In what Way?

Lambert. In the Hair-ſelling. He has been in that Way for many Years, and in a very mean Manner.

Q. Do you know any Thing of his being a *Popiſh* Prieſt?

Lambert. I really believe that he is not.

Q. You think he has Wrong done him?

Lambert. Yes. And this is one Reaſon; I take him not to be qualified for that Office, let him be of what Church he will.

Q. Do you know any Thing farther?

Lambert. I know nothing of his Principles of Religion. 'Tis ſo far from it, that I never heard him talk about Religion. I cannot think but if he was one of the *Romiſh* Church, they would have made better Proviſion for him, for no Man ever lived in a meaner Manner.

Q. (*to Joſeph Cole*) How long have you known the Priſoner?

Cole. About ten Years.

Q. What was his Buſineſs?

Cole. He dealt in Hair, I have bought a great deal of him in my Time.

Q. Do you know any Thing of his being a Popiſh Prieſt?

Cole. No, my Lord, I never heard nor knew of any ſuch Thing.

Q. I would only aſk you whether you are a Proteſtant or a Roman Catholick?

Cole. I am a Proteſtant, I aſſure you, my Lord; I am upon my Oath, I would not appear for him if I knew that he was not a Well-wiſher to the preſent Government.

Q. (*to William Banniſter*) What Religion do you profeſs?

Banniſter. I am a Proteſtant.

Q. How long have you been acquainted with the Priſoner?

Banniſter. About 23 Years. I was a Servant with him about 22 Years ago.

Q. Did he at any Time endeavour to convert you to the Popiſh Faith? Did you ever ſee any Thing of his officiating as a Prieſt in any Degree? Did he uſe to have a Congregation come to his Houſe?

Banniſter. No, my Lord, and I have ſeen him drunk and ſober, and I have never ſeen any ſuch Thing.

Q. (*to Mary*

Q. (*to Mary Webb*) How long have you known the Priſoner?

Webb. I have known him about two Years and an half. I lodg'd in his Houſe.

Q. What is his Buſineſs?

Webb. Preparing of Hair for Wigs.

Q. Have you obſerv'd any Congregation to reſort to his Houſe? Have you obſerv'd any Images in the Houſe?

Webb. No. Nor Beads, and I have been all about the Houſe.

Q. What are you?

Webb. A Proteſtant. Neither I nor my Huſband ever heard the Priſoner talk about Religion.

Q. (*to Robert Gibſon*) How long have you known the Priſoner? What has been his Manner of Dealing?

Gibſon. Hair-curling, my Lord.

Q. What are you, a Proteſtant or a Roman Catholick?

Gibſon. A Proteſtant, my Lord.

Q. You lodg'd at his Houſe, did you?

Gibſon. Yes. About half a Year.

Q. Do you know of any Congregation at his Houſe on a *Sunday?*

Gibſon. Never, my Lord.

Q. Did he ever attempt to convert you to the Popiſh Religion?

Gibſon. No, my Lord. I never heard him ſay a Word about Religion.

(*to William Bear*) How long have you known the Priſoner?

Bear. Thirteen Years, my Lord.

Q. What are you?

Bear. A Proteſtant.

Q. What hath been his Manner of Dealing?

Bear. In Hair, my Lord.

Q. Have you been pretty converſant in his Family? Have you ever ſeen him officiate as a Roman Catholick Prieſt? Or ſeen any Images or Crucifixes in his Houſe?

Bear. I have been all over his Houſe and never ſaw any ſuch Thing.

Q. Did he endeavour to convert you to the Roman Catholick Faith?

Bear. No, my Lord. I never heard him talk of Religion.

Q. (*to Addiſon*, the Proſecutor) When did you firſt give Information of this Matter?

Addiſon. About a Month ago. I never gave any Information againſt him before.

Q. (*to Clement North*) How long have you known the Priſoner?

North. About 10 Years.

Q. Are you a Proteſtant or a Papiſt?

North. A Proteſtant.

Q. Have you been pretty converſant with his Family?

Noth. Yes, my Lord.

Q. Did you ever ſee him officiate as a Romiſh Prieſt? Ever ſee any Crucifixes or Images? Did he ever make an Attempt to convert you to the Roman Catholick Faith?

North. I never heard him ſpeak of any Thing of Religion in my Life.

After his Lordſhip had ſumm'd up the particular Evidences, he concluded thus; Gentlemen, you are to conſider whether the Priſoner at the Bar be guilty of this Fact or not: The Puniſhment is a very ſevere one, 'tis perpetual Impriſonment without Bail or Mainpriſe. Before you convict the Priſoner of this, you ought to have full Evidence, and conſider how this Fact appears. *Addiſon*, the Proſecutor, had known of theſe Things for a conſiderable Time: Makes no Diſcovery of it, 'till the Proclamation is publiſh'd, of 100 l. Reward, which is dated the 6th of *November*, 1745, at St. *James's*. In the next Place, Gentlemen, you'll obſerve, the Man by his Appearance, does not ſeem to be a Man of Learning at all: It appears he has got his Livelihood, and a very mean one too, by dealing in Hair. A Number of Proteſtants have had Dealings with him. Some of them have lodg'd in his Houſe: They ſwear, they never ſaw any Appearance of his performing Maſs or having any Images, nor of making any Attempts to convert them: And Perſons of that Character are very apt to make Converts. Tho' 'tis true, where they endeavour to make Converts they ought to be puniſh'd; yet, Gentlemen, before they are puniſh'd, there muſt Satisfaction be given to the Country, that they are guilty. In the preſent Caſe, it does appear, there is a Demand the Priſoner has on the Proſecutor: It is a conſiderable Circumſtance in this Caſe, whether the Reward of 100l. is not to pay this poor Man the Priſoner, as appears by the Proſecutor's needy Circumſtances. Acquitted.

80, 81. **George Gunel** and **John Sayers** ſtand indicted together with *Henry Gunel* and *John Pageing* for unlawfully and feloniouſly aſſembling themſelves together, on the 12th of *May* laſt, being arm'd, with Fire Arms and other offenſive Weapons, in order to the aiding, aſſiſting, the running, carrying away of certain uncuſtom'd Goods, viz. a large Quantity of Tea.

There were two Council in this Cauſe for the Crown.

Crown. And after they had recited the Act of Parliament in the Caſe, proceeded to prove that the Priſoners, *George Gunel* and *John Sayers* were upon the 8th of *May* laſt, at *Redhill*, in the County of *Surrey*; there they had loaded about 208 lb. of Tea. At that Time, *Henry Gunel*, who is not taken, and *George Gunel* and the Witneſſes we ſhall produce, were arm'd with Fire-Arms and Cutlaſſes. After this, when they had got their Tea loaded at *Feltham*, there they diſpos'd of about half of it: The 12th of *May* they ſet forward with about 200lb. of the ſame Tea: At that Time they were every one arm'd. *George Gunel* had a Gun: The Witneſs was arm'd with a Carbine and a Cutlaſs, and in this Manner they proceeded to *Tyburn-Road*. There the Tea was deliver'd into the Houſe of one *Salmon*: In this Place it was that the Priſoners were apprehended.

Council. We ſhall prove the Fact, and we doubt not but you Gentlemen of the Jury, will give a Verdict, that will do Juſtice to the King and Country.

Q. (to William Groves) Do you remember that the 8th of *May* you was at *Redhill*.

Groves. Yes. I do.

Q. Were the Priſoners at the Bar, *George Gunel* and *John Sayers* with you?

Groves. Yes.

Q. What was done there?

Groves. We brought 200 and a half of Tea from *Redhill*.

Q. Where did you carry this Tea?

Groves. To a Place call'd *Feltham*.

Q. Were you all concern'd in carrying this Tea?

Groves. Yes. And upon the 12th of *May* we brought it to *London*.

Q. Who was preſent with you?

Groves. *John Pageing*, *John Sayers*, *Henry Gunel*, *George Gunel*, and my Brother *Noah Groves*. We carried 200 Weight of Run Tea to *Tyburn-Road*, to the Houſe of one *Salmon*.

Q. Did you all come from *Feltham*?

Groves. Every one of us came up to *Tyburn-Road*. When we brought it to *Tyburn-Road* we threw it over the Wall, and a Man took it in, and then we went into the Houſe.

Q. (to Noah Groves) Do you know the Priſoners at the Bar? Can you give an Account who was with you at *Feltham*.

Noah Groves. *George* and *Henry Gunel*, *John Pogeing*, and *William Groves*.

Q. What Time was it when you met at *Feltham*?

Noah Groves. About Ten o'Clock. *George Gunel* aſked me to go with him to *London*. He ſpoke to me three or four Days before. We came with Fire-Arms every Man of us.

Q. What did you do with theſe Goods?

Noah Groves. We brought them to *Tyburn-Road* and threw them over the Wall at one *Salmon*'s. I held the Horſes at the ſame Time, but did not go into the Houſe after the Goods were deliver'd there.

Q. (to the Priſoner, George Gunel) What have you to ſay in your Defence? Who are your Witneſſes to prove your Character in general, or againſt the Facts?

Q. (to Thomas Wellbeloved) Do you know *George Gunel*? Do you know *John Sayers*?

Wellbeloved. Yes.

Q. How long have you been acquainted with them?

Wellbeloved. I have been acquainted all my Life-time with *George Gunel*.

Q. Did you know them to be Smugglers?

Wellbeloved. No, my Lord, I never knew them to ſmuggle at all to ſignify.

Q. What is their Way of getting their Living?

Wellbeloved. They are Day-labouring Men.

Q. Are they Men of good Character?

Wellbeloved. My Lord, no Body will give them a bad one. And they that ſwore againſt them are the worſt Men of all.

Q. What do you mean by worſt of all?

Wellbeloved. In threatning Men with Arms.

Council. You told us juſt now that they ſmuggled not at all to ſignify. I ſuppoſe, that did not ſignify?

Q. (to John Ride) Do you know the Priſoners?

Ride. Yes, I know *George Gunel*, I uſed to go with him to Day-labouring.

Q. What is his Character?

Ride. He bears a very honeſt Character as far as I know.

Q. (to Thomas Goodwin) Do you know the Priſoner?

Goodwin. I know *George Gunel*, I have known him near 20 Years.

Q. What Character does he bear?

Goodwin. I never knew any Harm by the Man in my Life.

Q. How does he get his Livelihood?

Goodwin. By his Labour, by what I know.

Q. Is he reputed to be a Smuggler?

Goodwin. The World is very cenſorious. But I never ſaw any ſuch Thing.

Council. Where do you live?

Goodwin. I live at *Feltham*.

Q. (to George Wilds) Do you know the Priſoners or any of them? What have you to ſay to *George Gunel*'s Character?

Wilds. He bears a good Character and is well belov'd in the Place.

Q. Is

Q. Is he ſuſpected of Smuggling?

Wilds. I never knew of any ſuch Thing.

Q. (*to George Cromwel*) Do you know theſe Priſoners?

Cromwel. I know *George Gunel.* And he is a very civil, honeſt Man, as far as I know.

Q. Is he not reputed a Smuggler?

Cromwel. I don't know any Thing that he ſmuggles.

Q. (*to Richard Bunn*) Do you know the Priſoners or any of them?

Bunn. I have known *George Gunel* many Years.

Q. What is his Character?

Bunn. That of a very honeſt Man, and he pays every Body their own.

Q. (*to William Weſt*) Do you know the Priſoners, or any of them?

Weſt. I know *George Gunel.*

Q. What is his Character s

Weſt. A very honeſt Man.

Q. You know nothing of his dealing in run Goods.

Weſt. No, my Lord.

Q. (*to John Pew*) What do you know of the Priſoners or any of them?

Pew. I know *George Gunel.*

Q. What is his Character?

Pew. That of a very civil honeſt Man.

Q. Do you know any Thing of his being ſuſpected as a Smuggler?

Pew. No, my Lord. I know nothing of his Smuggling.

Q. (*to Edward Laden*) How long have you been acquainted with the Priſoners?

Laden. I have known *George Gunnel* all my Life Time, and the others ſome Years.

Q. What are their Characters?

Lsden. That they are very civil People. As to the tall Man, *George Gunel*, I did not know his Name, but have been in his Company at Times, for five or ſix Years.

Q. What is his Buſineſs in your Country?

Laden. Sir. I don't know, we don't aſk People their Buſineſs.

Q. (*to Oliver Samſon*) What do you know of theſe People?

Samſon. I know *George Gunel.*

Q. What is his Character?

Samſon. That of a very honeſt Man, as far as ever I heard.

Q. You don't look upon Smuggling in your Country to be a very diſhoneſt Thing?

Samſon. No. My Lord, I never heard.

Q. (*to Henry Pile*) What are you?

Pile. An Officer.

Q. What is the Buſineſs of the Priſoners?

Pile. I know them to be Smugglers, I have taken Goods from *George Gunel* myſelf. Guilty.

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82. **Abraham Dixon** was indicted for ſhooting and wounding with a Gun, *George Carter*, a Child of 13 Years of Age, *December* 30.

Q. (*to Suſannah Eaſtland*) What do you know in relation to the Death of *George Carter?*

Eaſtland. I was coming down *St. Martin's-Lane.* The Priſoner at the Bar, my Lord, was coming before me. The deceas'd, *George Carter*, ſtood upon a pair of Cellar Steps, two Steps down.

Q. Was that near you?

Eaſtland. Yes, my Lord. And the Child ſtood between him and me. The Child was about 13 Years of Age.

Q. How far was it from you? And how far from the Priſoner?

Eaſtland. About half a Rod. The Priſoner turn'd round all of a ſudden, and pointed his Gun, as I thought, to ſhoot at me. But whether or no, I cannot ſay. He went to diſcharge his Gun and it would not go off.

Q. Do you know whether he try'd to let it go off?

Eaſtland. He levell'd it, and it would not go off. He pull'd Powder out of his Pocket and diſcharg'd the Gun immediately. I clapp'd up at the End of the Tavern, the Child was neareſt, about half a Rod, as near as I can gueſs.

Q. Was the Child and you in the ſame Poſition?

Eaſtland. I was in the Street, and the Child on the Cellar-Steps. The Cellar-Steps come into the Street. He diſcharg'd his Gun and the Child fell off the Steps directly. I ſaw him level his Piece, pointing it, as I thought, towards me.

Q. So you thought the Gun was pointed at you?

Eaſtland. He diſcharg'd the Gun and hit the Child, and the Deceas'd fell down the Cellar-Steps.

Q. What follow'd after this?

Eaſtland. I heard a great Outcry in the Cellar, and there were ſeveral there, and a great deal of Blood iſſued out of the Child's Breeches.

Q. Did he die directly?

Eaſtland. No, my Lord.

Q. What did the Priſoner do after he had done the Miſchief?

Eaſtland. He put the Gun upon his Shoulder, and went up the Street as faſt as he could.

Peter Vouderkee, a Foreigner.

The

The Court not underſtanding his broken *Engliſh*, he therefore ſpoke by an Interpreter.

Q. Where was he when the Gun was diſcharged?

Interpreter. He was at a Publick Houſe. The Soldier ſtanding in the Street, he ſaw him diſcharge his Gun.

Q. Aſk him how near he was to the Soldier when he ſaw him diſcharge his Gun?

Interpreter. As near as that Door, (pointing to the Door of the Court.)

Q. Aſk him whether he ſaw the Soldier when he was coming along?

Interpreter. He, the Priſoner, was juſt going to diſcharge his Gun, when this Man, the Witneſs, came, he was behind the Soldier.

Q. Aſk him whether he ſaw the Soldier before he did diſcharge his Gun?

Interpreter. No. But it went off immediately as he ſaw him. He was firing into the Cellar.

Q. Aſk him if he ſaw the Boy?

Interpreter. He did not ſee the Boy before the Gun went off.

Q. How far behind the Soldier when the Gun went off?

Interpreter. Not quite ſo far as the Door of the Court. After the Gun was fired, he went to the Cellar and heard the Outcries.

Q. What became of the Soldier?

Interpreter. After One o'Clock they brought the Soldier to the Publick Houſe. And the People that brought him adviſed him, the Priſoner, to tell the Juſtice that the Affair happen'd by Accident.

Q. Aſk him whether he ſaw any Woman ſtanding with her Back to the Tavern?

Interpreter. No. But he ſaw the Man pointing his Gun to the Cellar.

Thomas Carter. The Priſoner at the Bar I follow'd from the End of *New-Street*.

Q. Are you any Relation to the Deceas'd?

Carter. Yes. I am his Brother.

Q. Did you know this Soldier before?

Carter. Yes, he lodg'd in my Mother's Houſe. He laid his Hand upon my Head, and ſaid, he loved me, but hated my Brother, that he was a ſulky old Dog, and he would ſhoot him directly.

Q. Who was a ſulky old Dog?

Carter. My Brother. They us'd to call him the old Man. Then he put his Hand in his Pouch and took a Cartridge of Powder out and prim'd his Piece and fir'd it directly.

Q. How far was you from your Mother's Houſe?

Carter. My Mother lives the next door to the Cellar.

Q. When you ſaw him load his Gun and prime it, did you ſee your Brother?

Carter. Yes, my Lord. He was two Steps down the Cellar.

Q. What did he do with his Gun, after he had prim'd it?

Carter. After he had done, he levell'd it at my Brother and then put it upon his Shoulder and went away.

Q. Did you ſay nothing to him, when he talk'd ſo about your Brother?

Carter. No. My Lord, not a Word.

Q. And what happen'd after this?

Carter. Then, my Lord, I run to the Cellar and my Brother was full of Blood, and I dragg'd him to the middle of the Cellar.

Q. What became of your Brother?

Carter. He was carry'd to the Infirmary. And he liv'd 10 Days.

Q. How long had this Soldier lodg'd at your Mother's?

Carter. He lodg'd about a twelve Month, my Lord.

Q. Were you not ſupris'd to hear him talk thus about your Brother?

Carter. No, my Lord. I thought he had been about to flaſh his Gun, I did not think he was about to ſhoot.

Council. While he lodg'd at your Houſe, was he not frequently familiar with your Brother, playing with him. Do you remember at any Time, he made him a Preſent of a little Ivory-headed walking Stick.

Carter. He gave it between us both, ſaid, we were to toſs up for it.

Council. Pray did you not that Day beg ſome Powder yourſelf.

Carter. No.

Priſoner. Aſk the Boy, whether he did not aſk me for a Cartridge of Powder as I was going in at the Door the ſame Day. The Queſtion was put to the Boy, but he deny'd it.

Suſanah Hatton. My Lord, the Child ſtood up on my Cellar-Stairs. I had his little Siſter in my Lap below. He, the Deceas'd, came down for his Siſter, to come up to Dinner, and the Child would not come up with him, but the Deceas'd ſaid, Day Day, upon the Stairs.

Q. Could any Body in the Street ſee the Child? Did you ſee the Priſoner?

Hatton. No. I never ſaw him. When the Gun went off, the Child was frighten'd, and ſaid, *Dixon* had done it; I fell into fits, that is all I know of it.

Mary Carter. I cannot ſay that I ſaw it done. But my Child was kill'd.

Council. Did he not ſhew a great Regard to the Child?

Mary Carter. I know that he, the Priſoner, had once an Antipathy to the Child about a Pail of Water.

Q. (*to John Barker*, Surgeon) Did you ſee this Boy in the Infirmary?

Barker. I ſaw him the 30th of *December*. I examin'd the Wound as ſoon as he came in.

Q. Did you ſee what had occaſion'd the Wound?

Barker. The Ball was not lodg'd in the Side, but went quite thro'. I put my Finger into the Wound, and found ſeveral Pieces of ſhatter'd Bone.

Q. Did the Boy live or die?

Barker. He languiſh'd about ten Days.

Q. What do you believe was the Cauſe of his Death?

Barker. The Wound that he receiv'd by the Ball, in his Side, was the Cauſe of his Death.

Q. (*to Amelia Ford*) Did you know the Priſoner?

Ford. I know that he lov'd the Deceas'd entirely well. Laſt Quarter Day he paid the People 15 s. and gave the Deceas'd an Ivory-headed Cane, and mended their Shoes *&c.*

———*Levet.* Pleaſe you, my Lord. I ſaw the Lad, the Deceas'd, come to the Priſoner on the Parade, where we are paid, as near as I can remember, the *Friday* before *Chriſtmas-Day.*

Q. Did he take Notice of the Boy, in regard to any Friendſhip he had for him?

Levet. Yes.

Council. Did you remember ſending any Thing to him on *Chriſtmas-Day?*

Levet. The Priſoner's Wife ſent them ſome Plum-Pudding. And I believe he would be far from doing any ſuch Thing.

Q. (*to Elizabeth Tyler*) What have you to ſay of the Priſoner at the Bar?

Tyler. All that I have to ſay is this. About a Fortnight before the Thing was done, the Priſoner brought the Deceas'd up Stairs, and bringing the Child up, his Shoes were unripp'd. Says he, *George*, the Man that mends your Shoes has not done you Juſtice, and when you want them mended, I will mend them for you.

Alexander Cartridge. Said, he was a very honeſt Man.

John Blydon. I have known the Priſoner four or five Years. He is as good a natur'd Man as can be, and would go any where to ſerve his Friend. I do not believe that he intended the Murder.

Richard Ball. As to the Priſoner, he was always a quiet, harmleſs Man. Guilty of Manſlaughter.

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83. **James Williamſon** was indicted on Suſpicion of Stealing 20 l. the Property of *Thomas Jeffery* of *Greenwich*, *December* 30.

Jeffery. I was going the 30th of *December* over *London-Bridge*; oppoſite to the new Building upon the Bridge, I was forced to put up in a Door Way, to get out of the Way of the Coaches: I had no ſooner got up in the Door-way, but a couple of Fellows ruſh'd, the one behind and the other to one Side of me; I ſtriv'd to get into the Houſe, the Priſoner kept me from going back, and the other from going forward. They took an Opportunity, one of them, to pick my Pocket of 20 l. When the Coach was gone they went off. I had the Preſence of Mind to clap my Hand to my Pocket, and I found my Money was gone. I cried out *Stop Thief.* In running I fell down, but got up again. This *Williamſon*, the Priſoner, makes into a Pinmaker's Shop at ſome Diſtance; as ſoon as I cry'd out *Stop Thief*, I ſaw a couple run; and one, that is the Priſoner, went into the Pinmaker's Shop. He endeavour'd there to pull his Coat off, I ſuppoſe to diſguiſe himſelf: He aſk'd to buy ſome Pins. Aſking to buy ſome Pins, the little Boy calls to the young Man: But he did not want any: But the young Man ſeiz'd him: And when I came up, I ſaid, you Rogue, you have robb'd me, where is my Money? Says he, I have not robb'd you, but you have, ſays I: Look down there ſays he, there is your Money. One of my Witneſſes pick'd it up.

Q. Where was your Money, in a Bag or Purſe?

Jeffery. It was in this Bag. The Bag was produced in Court.

Q. And the Money that lay at his Feet in the Bag, was the Money you loſt out of your Pocket?

Jeffery. Yes, my Lord.

Q. Do you know any Thing more?

Jeffery. We carry'd him into the Haberdaſher's Houſe, and we charg'd a Conſtable with him.

Q. Had you any Talk with him afterwards about it.

Jeffery. He ſent People to get me to be favourable to him.

Q. Was it taken by Slight or by Force?

Jeffery. By Slight.

Priſoner. Did you ſee me about your Pocket?

Jeffery. To the beſt of my Knowledge you are the Man.

Q. (*to Jeffery*) Did this Perſon threaten you?

According

According to your Expreſſion they pick'd your Pocket. Was he taken into Cuſtody?

Jeffery. Yes.

Q. Then neither of theſe threaten'd you, but only took this Money out of your Pocket by ſlight of Hand? This cannot poſſibly be any Robbery; that muſt be a taking with Violence. This Indictment is for a Robbery on the Highway.

Henry Payne. Pleaſe you, my Lord, I live with Meſſ. *Hood* and *Dale* on *London-Bridge*. On the 30th of *December*, about Five in the Afternoon, all of a Sudden, I heard a Noiſe of *Stop Thief*; upon hearing which I run out of our Warehouſe: I catch'd the Priſoner at the Bar by the Collar, and turn'd him on one Side of the Door Poſt; I held him a few Minutes before the Gentleman that loſt his Money came up. You Rogue, ſays he, you have robb'd me of 20 l. I look'd very ſharp at him, but had not the Wit to ſearch him. The Priſoner ſaid he had not got the Money; but before theſe Words were out of his Mouth I catch'd the Bag between the Spar of the Poſt and my Foot; upon which I directly call'd to Mr. *Jefferies*, and ſaid, here is your Money, and gave it into both his Hands and bid him hold it faſt. I held the Priſoner ſtill faſt by the Collar; and Meſſ. *Hood* and *Dale* were both at Home, and I call'd my Maſter out of the Compting-Houſe into the Shop. My Maſter came up; I bid Mr. *Jeffery* take the Money, and they told it over and it was exactly 20 l.

Priſoner (*to Payne.*) Did you ſee me drop the Purſe?

Payne. Before the Words you expreſs'd to Mr. *Jeffery*, *There is your Money*, were out of your Mouth, I catch'd it between the Spar of the Poſt and my Foot.

John James. Pleaſe you, my Lord, on the 30th of *December*, near Five in the Afternoon, I live between half way of the Pinmaker's and where Mr. *Jeffery* was robb'd: I ſaw Mr. *Jeffery* fall down and get up again dirty. I heard him cry out *Stop Thief, Stop Thief.* I ſaw the Priſoner at the Bar run into the Pinmaker's Shop. I was but a few Minutes after him before I got to the Door. A Woman cry'd out, there is one run in there.

Q. (*to James.*) Did you go into the Pinmaker's Shop?

James. No, I ſtopp'd at the Door, and then the Priſoner had almoſt got his Great Coat off.

Q. What happen'd after he came out of the Pinmaker's?

James. *Henry Payne* was before him and I was behind him. I ſaw the Money taken up by *Henry Payne.* After the Bag was taken up I went to Mr. *Hood's*; was with him all the Time. The Gentleman of the Shop aſk'd the Priſoner what Buſineſs he follow'd. The Priſoner ſaid he was then going over into the *Borough.*

Q. (*to the Priſoner*) Have you any Witneſſes?

Anne Hollis. I was going over the Bridge when this Affair happen'd I ſtood up near the Pinmaker's Shop; ſtanding up, abundance of People were coming by. This here Gentleman had a whitiſh Coat upon his Arm. The Coach was gone. There was a Couple of Men puſh'd by me. I ſaw a Man with a whitiſh Coat upon his Arm; I ſaw an elderly Man, upwards of Forty: I ſaw another Man, Sir, run under the Horſe's Belly, the other Side of the Way; and directly ſome body halloo'd, *Stop Thief:* And two Men went, and the elderly Man in a brown Coat dropp'd ſomething in a Bag; then directly the Crowd come.

Q. (*to Hollis*) I would aſk whether this ſomething that you ſaw drop by the Man in the brown Coat was dropp'd before or after the Priſoner was taken by the Collar by *Henry Payne?*

Hollis. Whilſt the Priſoner was at liberty.

Q. (*to Hollis*) Do you know any thing further?

Hollis. I made the beſt of my Way home, and when I came home I told my Neighbours how I ſaw an innocent Man ſerv'd. They told me the beſt Way to ſerve the Man would be to enquire whether he was in Confinement: Accordingly I did, and went to *Newgate* and gave a ſmall Trifle, a Sixpence, to enquire about him.

Q. (*to James Tow*) How long have you been acquainted with the Priſoner at the Bar? What is his Character?

Tow. The Way I was firſt acquainted with him was, he bought a Dozen or two of Shoes of me; he deals in the Country. This Man has dealt with me, Times, ever ſince, and I know nothing amiſs of his Character, he has paid me very honeſtly for what he has had.

Q. (*to Mary Lucas*) Are you acquainted with *James Williamſon?*

Lucas. Yes, four or five Years: He has come to my Houſe, and eat and drank there; I never heard any Ill of him in my Life.

Q. (*to James Powell*) How long have you known the Priſoner? What has been his Character?

Powel. All that I known of the good Man is, that he uſed to deal in the Country. He uſed to ſell Cloth, and deal in all manner of pedling Things.

To this Evidence a Gentleman in Court objected, That the Evidence's own Character ought to be enquir'd

quir'd into, as he was a Perſon that kept a diſorderly Houſe.

Upon this the Court mov'd, That if he attempted to give the Character of the Evidence, he muſt be ſworn.

Q. (*to Robert Burridge*) What is *James Powel*'s Character?

Burridge. He keeps a very diſorderly Houſe. *Country Dick* was taken out of his Houſe, and ſeveral others. It's reputed as diſorderly a Houſe as any in *England*. 'Tis by *St. Giles*'s Pound.

Queſtion put by the Jury to Anne Hollis] You ſaid you told ſeveral of your Neighbours of this Robbery: Are any of your Neighbours here?

Hollis. No. Guilty of Felony.

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84. **Judith M'Carty,** indited for ſtealing a Bolſter and Pillow, the Property of *William Allen*, *Dec.* 30.

Q. (*to William Allen*) What have you to ſay againſt the Priſoner?

Allen. I loſt a Pillow and Bolſter the 30th of *December*. My Servant will give a farther Account of the Matter.

Hannah Oſborne. I ſaw the Priſoner go into the Houſe; and I thought that ſhe went for ſomething to the Lodgers. When ſhe came out, I ſaw a Bolſter hang out of her Lap: I ſaid, You have got ſomething that is not your own; and I run after, and cried, *Stop Thief*; and a couple of Soldiers ſtopped her, and brought her back. When ſhe was purſu'd ſhe threw the Things down, and attempted to run away.

Q. (*to Oſborne*) What was there found upon her when ſhe was brought to your Maſter's Houſe? Do you know that Pillow and Bolſter, ſhe dropp'd, to be your Maſter's?

Oſborne. Yes.

Q. (*to the Priſoner*) Would you aſk this Girl any Queſtions?

Priſoner. Now, Child, how can you ſay ſo, when you cry'd, *Stop Thief*, did you not ſee another Woman run away?

Thomas Kenrick. As I was going on an Errand to a Stationer's, I ſaw the Priſoner throw the Pillow and Bolſter down; and a young Man and two Soldiers took hold of her, and brought her back again.

Q. (*to the Priſoner*) Will you aſk this Evidence any Queſtions? What have you to ſay in your Defence?

Priſoner. I am a hard-working Woman. Guilty 10 d.

85. **John Staddow,** indicted on Suſpicion of ſtealing a Guinea and a Half, and a Nine-Shilling Piece, the Property of *Mary Marriot*, *Dec.* 7.

Q. (*to Mary Marriot*) What have you to ſay?

Mary Marriot. Pleaſe you, my Lord, I was at *Newgate-Market* buying ſome Fowls, on the 7th of *December* laſt, of a *Saturday* Morning, before it was well light. There were two Dozen and eight Fowls, and ſix Ducks. Whilſt I was bargaining I felt ſomething juſtle againſt me, and immediately I miſs'd this Box, where there was a Guinea and a Half in Gold, and a Nine-Shilling Piece in Gold. Turning ſhort round about me, when I miſs'd them, I ſaw a young Lad ſtand, and the Priſoner at the Bar; I clapp'd hold of the young Lad, and ſaid, I had my Pocket pick'd, and cry'd out, Give me my Money, give me my Box: And the Lad ſaid, he had none of my Money, nor my Box. I cry'd out again, Give me my Money, *&c.* With that, the Lad, in a little Time, gave me my empty Box; and this young Man, the Priſoner, ſtood by him. I did not ſee him take the Money out, or know how he came by it.

Q. What became of the Boy?

Marriot. He run away.

Q. What have you elſe to ſay?

Marriot. Nothing elſe, but I ſaw this young Lad, the Priſoner, ſtand by him at the ſame Time.

Q. (*to Peter M'Adam*) What have you to ſay?

M'Adam. While this Woman was buying the Fowls I perceiv'd the Priſoner and another ſtanding by me, near a Quarter of an Hour. When we had bargain'd, the Woman went to pay me; but ſhe was in a very great Fright, and ſaid, I am robb'd, I have loſt my Money. I think they were then both ſtanding by me; but when I look'd again they were both gone. Upon this I run five or ſix Yards through another Stall in *Newgate-Market*: I took the Priſoner in a Turning on the Right-Hand, while the other was running on the Left. I took him, and ſat him down by me. I aſk'd him ſeveral Queſtions; Who he was? and, Whence he came from? but he could give but a very indifferent Account. And in a Day or two he was had before an Alderman in *Guildhall*; there he was queſtion'd if he knew any thing of it? He denied it; he ſaid he knew nothing of it. Afterwards, when we were coming out he ſaid very wicked Words; that he would have an Eye upon our Blood, or Words to that Purpoſe.

John Lutwich. Pleaſe you, my Lord, I ſaw the Priſoner at the Bar, and another Lad, in the Market for near an Hour, walking about, the ſame Morning the Money was loſt; they did not ſeem to have any

any Buſineſs. I ſaid to the next Neighbour, Take Care of your Pocket. I fear'd theſe Fellows were upon an ill Deſign: Accordingly ſome Time after this Woman, the Proſecutrix, cries out, *Pick-Pocket.* I ſaw the other run away, and this one, the Priſoner, following of him.

The Priſoner ſaid of this Evidence, he would hang any Body for the Sake of a Reward.

Q. (*to Martha Knight*) What have you to ſay againſt the Priſoner?

Knight. I ſaw the Proſecutrix have hold of a little Boy by the Shoulder. This Priſoner at the Bar gave him a Shove, and ſhov'd him from the Woman, through *Harry Woolet*'s Stall; and I ſaw this Chap, the Priſoner, ſtand at the Door to keep the Mob from coming through. He ſtood to hinder the People from purſuing the Boy.

Q. (*to Mary Legg*) What have you to ſay of this Matter?

Legg. I was in the Market, ſtanding by Mr. *M'Adams*'s Stall: As I ſtood, the Priſoner at the Bar, and the little Lad, came by me; the little one was next to me, and the Priſoner was on the other Side; and they whiſper'd to one another, and went up immediately to the Woman, the Proſecutrix.

Q. (*to the Priſoner*) What have you to ſay for yourſelf? Have you any Witneſſes?

The Priſoner ſaid he was not guilty. Guilty.

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85. **Richard Warner,** indicted for feloniouſly uttering and publiſhing a certain Acceptance of a Bill of Exchange, upon *Richard Jackſon*, Eſq; of *Crutched-Fryars*, with an Intention to defraud Mr. *Aſhley*, of *Ludgate-Hill.*

Council (*to Mr. Aſhley*) Have you ever ſeen the Priſoner at the Bar?

Aſhley. Yes.

Q. What Paper is that you have got in your Hand?

Aſhley. It is a Bill of Exchange, drawn upon *Richard Jackſon*, Eſq; of *Crutched-Fryars.* The Priſoner brought it to me, and told me he had an Order from *Richard Warner*, Eſq; to buy of me fourteen Gallons of Rum and Arrack, ſix of which were for Sir *Jacob Aſhley*, and the other Part for *Richard Warner*, Eſq;

Q. How much did it come to?

Aſhley. Eight Pounds eight Shillings and Sixpence. Then he preſented this Bill, and he deſir'd the Change; for he was to buy other Things with the reſt of the Money. And looking on the Bill, I found it was not accepted: Upon which I told him I would ſend my Clerk and get it accepted. He then told me that Mr. *Jackſon* ſeldom underwrit his Bills. Upon which I told him, if Mr. *Jackſon*, or any of his Clerks, would ſay they would pay it, when it was due, I would be very well contented, and give him the Change.

Q. Did you know Mr. *Jackſon?*

Aſhley. Yes, Sir, I know him by Character.

Q. You would have taken the Bill if they had ſaid they would pay it?

Aſhley. Yes. But the Priſoner ſaid he would carry it, and get it accepted. Accordingly he went out and brought it, with what he ſaid was an Acceptance. But *Jackſon* was ſpell'd with an *x*, inſtead of *ck*; the Name ſtood *Jaxſon.* I then ſuſpected it, but did not tell him ſo. I told him, if he would come To-morrow Morning, about Nine o'Clock, then the Things would be ready, and I would give him the Change. He was very preſſing to have the Change that Night, and he would come for the Goods the next Morning. He had ſeveral Excuſes, but I put him off. In the mean Time I ſent to Mr. *Jackſon*; and the Anſwer my Clerk brought from Mr. *Jackſon*, or ſome of Mr. *Jackſon*'s Servants, that he had accepted no ſuch Bill that Day, and that it was a Forgery, and deſir'd the Perſon and Bill might be ſtopp'd. In the Morning, at the Time appointed, he, the Priſoner, came; and at the ſame Time *Jackſon*'s Clerk was at my Houſe. Then the Priſoner took the ſaid Bill out of his Pocket, and wrote the Indorſement upon it, and gave it to me. When I had it in my Poſſeſſion I ſhew'd it to Mr. *Jackſon*'s Clerk; and he told me that was none of his Maſter's Acceptance; for it was neither like his Hand-writing, nor did he ſpell his Name ſo. Upon which he was charg'd with the Conſtable, and had before my Lord Mayor, where Mr. *Jackſon* was preſent, who is now here.

Q. This Bill is mention'd as drawn by *Richard Warner*, Eſq; Do you know whether he drew any ſuch Bill in Fact?

Aſhley. I believe the Whole was a Forgery.

Q. (*to Richard Jackſon*) Have you look'd upon that Paper?

Jackſon. Yes, Sir.

Q. Do you know whoſe Hand-writing that is upon the Back?

Jackſon. The Hand-writing upon the Back is the Indorſement of the Priſoner at the Bar.

Q. Is it your Writing?

Jackſon. No; it is not my proper Name, nor my Manner of Writing.

Q. Do you know Mr. *Warner?*

Jackſon. Yes. But he never ſigns *Richard Warner*, Senior.

Q. Do you believe Mr. *Warner* to be Uncle to the Priſoner?

Jackſon. I believe he may; I have ſeen him come from his Uncle.

Q. Do you know of any *Richard Warner* of *Cly?*

Jackſon. No.

The Queſtion and Doubt in Court aroſe, Whether this, in Point of Law, is Forgery within the Act of Parliament. To be ſure, as was obſerv'd, it was within the Meaning of the Act. Now, the Words of the Act of Parliament are; *That if any Perſon ſhall forge an Acceptanec of a Bill of Exchange.* No body has prov'd that it was Mr. *Warner*'s Bill of Exchange: So that it was a bare Forgery of Acceptance, but not of an Acceptance of a Bill of Exchange. The Jury therefore laid it Special.

---

86. ——— **Strong** was indicted for ſtealing a Handkerchief and a Short Cloak, the Property of *John Wallis.*

The Priſoner had little to ſay in her own Defence, but that ſhe bought the Handkerchief in *Flanders*, and that, whereas the Proſecutor ſaid it was a new one, it was really full of Holes. Guilty 10d.

---

87. **Richard Manning** was indicted for an Aſſault upon *Thomas Waldale*, Porter of *Serjeant's-Inn-Gate*, with an Intention to commit the deteſtable Sin of Sodomy, on the 23d of *October*, Ten o'Clock at Night.

Q. (*to Waldale*) What have you to ſay againſt the Priſoner at the Bar?

Waldale. I am a Porter at *Serjeants-Inn.* On *Wedneſday* the 23d of *October* laſt about half an Hour after Ten, I open'd the Gate, for Mr. *Hulbert* and his Lady to come into *Serjeants-Inn*; and I ſtanding at the Gate, while the Coach was coming out, this *Manning*, the Priſoner, comes up to me and ſhak'd Hands, and tickled my Hand, and after that he come and aſk'd, How do you do Neighbour?

Q. Did you know the Priſoner?

Waldale. Never ſaw him with my Eyes before, as I know. He ſaid, I knew him, but I ſaid, I am ſure I do not. But, ſays he, you do. So then he put his Hand on the Waiſtband of my Breeches. Said I, I know nothing at all of you, indeed Friend. So then he unbutton'd his Breeches and let them full half Way down his Thighs.

Q. Where was this?

Waldale. In the Middle of the Gateway.

Q. In the Coachway?

Waldale. Yes.

Q. Was the Coach come out by this Time?

Waldale. No. And I deſir'd him to walk a little farther up in the Inn and not to ſtand there, when he had let his Breeches down; this I ſpoke to him that I might get the Gate ſhut. No, ſays he, I'll ſtand here. So I ſaid, I'll ſecure you, and I call'd out to my Wife. Mr. *Hulbert* hearing the Noiſe came out. He ſaid, *Waldale*, what's the Matter. I ſaid, Sir, here is a Molly, a Sodomite, or a Devil, I know not what you call him, not I.

So then Mr. *Hulbert* aſk'd me whether the Gates were ſhut; I told him they were not. I call'd, and my Wife took the Key, and Dr. *Hulbert*'s Man lock'd the Gate. Then I went and fetch'd a File of Muſqueteer's from the Church, from thence I went to Mr. *Money*'s, the Conſtable and brought him; from thence I took the Priſoner to the Watch-Houſe? from thence to *Bridewell*; ſo then to his Lordſhip the next Day.

Q. What did he pretend to when he was taken

Waldale. He ſaid, that I knock'd him down.

Q. But after you charg'd him as a Molly, did he make any Defence at that Time, after his Breeches were down. Pray did he do any Thing after that?

Waldale. Only pull'd them up.

Q. (*to the Priſoner*) Have you any Thing to ſay?

Priſoner. I was going down *Fleet-Street*, I was juſt come out of Jail. This Man, the Proſecutor, is as great a Villain as ever appear'd in the World. I was coming down *Fleet-Street*, ſo Molly ſays he; I ſaid, I never mollied you. My Lord, I never laid my Hand upon him, nor touch'd him; I never touch'd the Man in my Life.

Q. (*to the Priſoner*) Have you any Witneſſes to your Character?

The Priſoner had none to appear to his Character.

The Court proceeded to paſs Judgment upon him as follows, *viz.*

You have been indicted for as great an Offence as can be committed; ſo great an Offence, that it ſhocks every virtuous Man to mention it. Of this you are now convicted, and your Caſe is ſtill worſe, as we are now inform'd that you have before receiv'd Judgement for the like Offence, therefore this is the

ſecond Offence of the Kind. The Court now ſees that you are not eaſily reclaim'd. And as a Terror to all others, you are ſentenced to be ſet in the Pillory oppoſite *Serjeants-Inn-Gate* for the Space of one Hour, between the Hours of Eleven and One, and that you be impriſon'd for the Space of 12 Months. And they likewiſe fine you a ſmall Fine of 1 s. if you were able, they would not ſet ſo ſmall a Fine upon you.

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 2.

John Webb 37 *Joſeph Mayſon* 65

To be Impillored.

Richard Manning 87

To be Whipp'd 3.

Lettice Pong *Judith M'Carty* 84
Elizabeth Hilliard 73

Receiv'd Sentence of Tranſportation for 7 Years, 38.

Mary Banks 36 *Anne Perry* 54
Alice Cunnington 71 *Suſannah Tidmaſh* 56
William Stonehouſe 72 *John Glaſſwell* 58
Chriſtopher Cuſt 38 *Mary Pardo* 43
Thomas Welch 40 *Elizabeth Doughty* 76
Jane Burle 41 *Jaſper Godby* 44
Richard Salmon 42 *Thomas Caſtelow* 45
Elizabeth Reed 46 *James Solovan* 51
ThomasZell 48 *James Woollard* 52
Philip Jewel *Anne Stanbury* 53
John Joel *James Williamſon* 83
John Robinſon 77 *George Banniſter* 61
Joſeph Smith 49 *John Staddow* 85
George Gunel 80 *James Harriſon* 62
John Sayers 81 *Mary Beak* 63

To be Tranſported for 14 Years.

William Joyce, formerly attainted.

Next enſuing Seſſions to begin,
On *Monday*, *Feb.* 24, at *Guildhall*.
On *Wedneſday*, *Feb* 26, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 26th, and THURSDAY the 27th of *February*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Third SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER III.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

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THE PROCEEDINGS ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London, &c.*

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, Mr. Juſtice FOSTER, Sir SIMON URLING, Knt. Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
Samuel Vickers,	*John Dickins*,
James Hutchings,	*Richard Okeman*,
William Holloway,	*Richard Steele*,
Arthur Perkins,	*Thomas Skeates*,
William Lindſay,	*Charles Durham*,
William Munday,	*Robert Packer*,
Charles Ward,	*William Singleton*,
Thomas Maſon,	*Alexander Atkins*,
Richard Pepys,	*Robert Hancock*,
William Squire,	*Thomas Evans*,
Jonas Woodward,	*Daniel Eventon*,
BenjaminCrakenthrop.	*Edward Gray.*

88. **Anne Howard** was indicted for aſſaulting *Auguſtine Daroſario*, and robbing him of 61. 6 s. in Money, in the dwelling-Houſe of *Thomas Wadders*.

Q. What Language does the Proſecutor ſpeak?

Interpreter. *Bengal* Language.

Q. Aſk him what he has to ſay?

Interpreter. He ſays he is a poor Man, and if the Gentlemen and Lord-Mayor pleaſe to give him his Money.

Q. Aſk him if he knows the Priſoner at the Bar?

Interpreter. Yes.

Court. Then let him tell the whole Story.

Interpreter. He ſays that about a Month and a half ago, as he was paſſing by, the People call'd him in.

Q. Where was it?

Interpreter. In *Kirby-Street*. About a Month and a half ago, as he was paſſing by the Door, they call'd him in, at the *Blue-Anchor*.

Court. Aſk him what the Priſoner did to him?

Interpreter. She ſhut his Eyes with her Hands, and the Man took hold of him about the Neck.

Court. Aſk him what they did next?

Interpreter. Nothing elſe.

Court. Did not they take his Money?

Interpreter. Yes.

Q. Which took the Money out? The Man or the Woman?

Interpreter. The Woman ſhut his Eyes, and the Man, who is ſince dead, took the Money out of his Pocket.

Q. Did they not threaten his Life?

Interpreter. No, they did not, nor any Thing of that Sort.

Q. Aſk him whether he was not aſſured they would do him ſome Hurt?

Interpreter. No.

Q. *(to the Priſoner)* Would you have this Witneſs aſk'd any Queſtions?

Priſoner. Pleaſe you my Lord, I am innocent.

Court. He ſays you ſhut his Eyes, and that the Man, who is ſince dead, put his Hand into his Pocket, and took out his Money.

Priſoner. I liv'd in this Houſe, and that *Black*, the Proſecutor, brought in two Women. He was to be marry'd to the Daughter, and the Daughter took out his Money. The next Night they took me out of the Houſe, and I knew nothing of it.

Q. *(to the Priſoner)*. Have you any Witneſſes?

The

The Girl ſaid ſhe was innocent, but ſhe call'd none to diſprove the Fact, nor to her Character.

Guilty of the Felony, but not of the Robbery.

---

89. **Suſannah Grant** was indicted for ſtealing from *John Leugan*, a Silk Handkerchief, value 5 s. and five Pieces of Gold, out of the dwelling-Houſe of *Anne Auſten*, Widow.

Q. (to the Interpreter) Aſk him whether he knows the Priſoner at the Bar?

Interpreter. Yes.

Q. Aſk him whether the Priſoner at the Bar took any Money from him?

Interpreter. Yes.

Q. When?

Interpreter. The ſame Day the other Black loſt his; about a Month and a half ago.

Q. Where did he meet the Priſoner at the Bar?

Interpreter. In *Whitechapel.*

Q. When he went to the Widow *Auſten*'s Houſe, aſk him whether he was not in Bed with the Priſoner?

Interpreter. Yes. About Ten o'Clock the Woman wak'd to get him a Pot of Beer. And when ſhe had call'd for ſome, he afterwards went to look for his Breeches, but could not find them. There were two Women and they both run away.

Q. Were there two Women in Bed with him?

Interpreter. No, One of them was in Bed with another Man.

Q. Did he carry her before the Juſtice?

Interpreter. Yes. She was charg'd with the Conſtable and carry'd before Juſtice *Quarril* next Day.

Q. Was there any Examination of her?

Interpreter. Yes.

Q. (to the Priſoner) Will you aſk this Man any Queſtions? He ſays, that you and he went to Bed together; and he miſſed his Breeches, and you and the other Woman run away. That is the Subſtance of what he ſays againſt you.

Priſoner. Pleaſe you my Lord, to aſk him whether there was not another Woman in Bed with him?

Interpreter. No.

Thackhouſe, the Conſtable. The 10th of *January*, my Lord, about Ten o'Clock, this Perſon, the *Black*, was beating the Priſoner at the Bar.——Said, ſhe had robb'd him of 5 l. 14 s.—The Watchman brought her to the Watch-Houſe.——I took Charge of her.——He inſiſted on ſome of the Money, which he was poſitive ſhe had.——Upon that ſhe was ſearch'd, and I took two Guineas from her.——The Proſecutor told the Juſtice he had loſt five Guineas; two Guineas were found upon her. There was another Woman concern'd, that had the Handkerchief and the reſt of the Money.

Q. Did the Priſoner ſay, that the other Perſon had the Handkerchief and the reſt of the Money?

Conſtable. The Proſecutor ſaid, he gave 2 s. for the Lodging that Part of the Night.

Q. (to the Priſoner) Will you aſk this Witneſs any Queſtions? He ſays, that when you was going before the Juſtice, another Woman was concern'd, which had the Handkerchief, and 3 l. odd Money. The Proſecutor loſt 5 l. Will you aſk the Conſtable any Queſtions? What have you to ſay for yourſelf?

Priſoner. Pleaſe you my Lord. My Mother is a Dealer in Coal, and my Mother ow'd a Gentleman two Guineas. And my Mother gave me two Guineas to pay him. As I was coming along, I happen'd to go into a Houſe to call for a halfpenny-worth of Anniſeed. Seeing this Man I took no Notice at all: I got my Dram and came away; as I came into *Whitechapel*, the Proſecutor aſk'd me to drink a Pint of Beer: Upon that he forced me; upon which I call'd for the Watch: When I call'd for the Watch, I charg'd him: And when I came to the Watch-Houſe, he made the Watchman charge me. He took from me two Guineas, the Money I was about to pay away. The Watchman gave the Money to the Conſtable.

Q. (to the Priſoner) Have you any Witneſſes to call?

Suſannah Whitehead. The Priſoner's Mother acted a very honeſt Part; tho' it is my Daughter I can't forſwear myſelf. Guilty 39 s.

---

90. **Adam Rutherford** was indicted for a Robbery on the King's Highway, near *Holloway-Mount*, upon one *John Colet*; putting him in Fear of his Life, and feloniouſly taking 7 s. 6 d from him.

Q. (to Colet) What do you know of the Priſoner at the Bar?

Colet. On *January* the 13th, the Priſoner robb'd me of 7 s. 6 d. He ſaid with an Oath, if you don't deliver your Money I'll ſhoot you thro' the Body.

Q. Where was this?

Colet. Near *Holloway-Mount.*——There were two of them. This was taken and the other is not.

Q. Did he preſent the Piſtol to you?

Colet. Yes. Demanded my Money and took 7 s. 6 d. The other ſaid, blow his Brains out.—— With that, the Priſoner fir'd the Piſtol at me and it went thro' my Hat.

Q. Did the Priſoner at the Bar fire the Piſtol?

Colet. Yes, my Lord.

Q. Is that the Hat you had on at that Time?

Colet. Yes. [The Hat was produced in Court.]

Q. Did the Priſoner carry the Hat off?

Colet.

Colet. No. I carry'd it off myſelf.

Q. (to the Priſoner) Will you aſk this Witneſs any Queſtions? I'll tell you what he ſays againſt you.——That on the 13th of *January*, behind *Holloway-Mount*, you, and another Perſon not yet taken, had preſented a Piſtol to his Breaſt, and you demanded his Money. The other Perſon ſaid, blow his Brains out.——Upon that you turn'd back and fir'd at him, and fir'd thro' his Hat, which he has produced. That is the Evidence againſt you.

Priſoner. I was at Work at that very Time.

Q. (to Colet) What Time of the Day was it?

Colet. About Five o'Clock in the Afternoon.

Q. Can you take upon you to ſay the Priſoner at the Bar was the Perſon?

Colet. He was the Perſon.

Q. When did you apprehend him?

Colet. I took him next Day. I took him at *Billingſgate*.———I have ſeen him go by my Shop many a Time.—— That was the Reaſon he fir'd at me.———He knew that I knew him.

Q. Did you recollect at the Time of the Robbery, that the Priſoner was the ſame Perſon you had often ſeen before?

Colet. Yes, my Lord, he is the very Man.

Q. When you came next Day to make Enquiry, what paſſed then?

Colet. Next Day coming out of *Crooked-Lane*, I went to *Billingſgate* and I ſaw him among the Porters.

Q. (to Hughſon, the Conſtable) What have you to ſay to this Affair?

Conſtable. The Proſecutor came to my Houſe and ſaid he was robb'd of 7 s. 6 d. Said the Priſoner was at *Billingſgate*. When I went down with him to *Billingſgate*, he ſhew'd me the Man, and I took him.

Q. (to the Priſoner) What have you to ſay for yourſelf?

Priſoner. I am a Porter at *Billingſgate*. I took up a Load of Oyſters about Five o'Clock, and carry'd it to the back Side of *Paul*'s.——The Perſon paid me for my Trouble.—I came to my Lodgings as the Clock ſtruck Six.——The next Day I went down to *Billingſgate* about Three o'Clock in the Afternoon.——There comes down a Man from the *Blue-Anchor*, St. *Mary-Hill*, and ſaid, Porter, you muſt go up to the *Blue-Anchor*.——I ſaid, I would not go back again, for I thought it was out of ſome Game.—After that this Gentleman comes, that is, the Conſtable, and charg'd me with a Robbery; I went to go before two or three Juſtices, but they were not at Home.——I have Witneſſes that I was at Work.

Q. (to Elizabeth Sparks) What have you to ſay?

Sparks. The Priſoner is a very honeſt Man as far as ever I knew. I have truſted him with Money for Goods when I could not go to buy them myſelf.

Q. You ſaid you employ'd him about this Time, be as particular as you can. What Day of the Week was it?

Sparks. It was of a *Monday*, either the 12th or 13th.

Q. Are you ſure it was on a *Monday?*

Sparks. Yes. About Four o'Clock I went down to *Billingſgate* to fetch me ſome more Oyſters. I ſaid to him, why did not you call again? He ſaid, I thought I had brought you up enough. I ſaid to him take your Baſket, let me have ſome more. I went and bought my Goods, and coming back to *Cannon-Street*, I ſaid, I cannot keep pace with you. When I came to my own Houſe he ſaid, you have ſtaid a great while behind me. Then I reckon'd it was about half an Hour after Five in the Evening. So he emptied my Goods and went away.

Q. You think it was half an Hour after Five?

Sparks. I think it was, for the Fog aroſe ſo that I could not go his Pace.

Q. (to Colet) So Mr. *Colet*, it ſeems this happen'd on a Day, when there was a remarkable Fog. Do you remember it was upon that Day?

Colet. Yes. It was upon the 13th.

Q. (to Elizabeth Edridge) What do you know of the Priſoner?

Edridge. I believe him to be a very honeſt Man, I have truſted him with 20 or 30 s. at a Time.

Q. (to Rachel Ruſſel) What do you ſay of the Priſoner?

Ruſſel. I have known him to be a juſt, honeſt Man. On the 13th of *January*, I left 4 s. with him to bring up ſome Goods. And the ſame Day he deliver'd me my Money again.

Q. (to Elizabeth Sparks) What Day was it you employ'd the Priſoner at the Bar?

Sparks. The *Monday* that was the violent Fog.

Q. (to Jane Dean) What do you ſay of this Matter?

Dean. I keep a Lodging-Houſe in *Cheek-Lane*, and the Priſoner at the Bar lodg'd at my Houſe. And the Night before he was taken up, he was in Bed at half an Hour after Six o'Clock.

Ruth ——— (the Daughter of *Jane Dean.*) On *Monday* the 13th of *January*, the Priſoner at the Bar came home the Time the Workhouſe Bell rung. It commonly rings at Six, but it happen'd then to be

be half an Hour after. This was the Time that the Prisoner went up to Bed.

John Cheater. I have known the Prisoner these 20 Years, he bore a good Character when he was 'Prentice.

Q. What is his general Character?

Cheater. He has a general good Character.

Q. You say that you begun to have Knowledge of him 20 Years ago, have you known him of late?

Cheater. Yes, to this very minute. As to Pistol or Sword, I can prove he never was worth such a Thing in his Life.

Thomas Bates. I live in *Shoreditch*, I know nothing of the Prisoner. But we went to enquire in the Neighbourhood, and we found that none could give an Account of this Robbery.

Jury. We desire to know what Character the Prosecutor bears?

Edward Elliot. I know nothing as to the Robbery at all. Only this *John Colet*, the Prosecutor, is a Carpenter, and I have often employ'd him. He came to my House and said he had like to have been kill'd. Said I, you Dog, who would kill you? Really, says he, I have been rob'd of 7 s. 6 d. but I know the Fellow, I have seen him 20 Times.

Q. *(to Jane Dean)* Where is your House?

Dean. In *Cheek-Lane*, about three Doors from the Workhouse. I keep a Lodging-House in *Cheek-Lane.*

Court. I ask for this Reason, how far from *Holloway-Mount* it is to *Cheek-Lane.*

Q. *(to Sparks)* Where do you live?

Sparks. In *Thames-Street.* I have kept a House there 28 Years.

Court. Now recollect, *Elizabeth Sparks*, what Time did this Man come back to your House with Oysters?

Sparks. About half an Hour after Five. It was Four o'Clock when I went from my own House; and *Ruth Macneller* declares that he came home to his Lodgings half an Hour after Six.

Acquitted.

---

91. **William Parford** was indicted for stealing 40 lb. of Sugar from a Yard belonging to *Bear-Key.*

Q. *(to Richard Everal.)* What have you to say against the Prisoner? Did you lose any Sugar at any Time?

Everal. Yes, my Lord.

Q. From whence was this taken?

Everal. From a Yard belonging to *Bear-Key.*

Q. How do you know it to be him? Did you see the Prisoner at the Bar?

Everal. Yes. I found 48lb. of Sugar upon him.

Q. What did he say when you found this Sugar upon him? Did he own it?

Everal. Yes, my Lord, and he said he would do so no more.

Q. *(to the Prisoner)* Would you ask the Evidence any Questions? What have you to say to this Charge?

Prisoner. Please you my Lord. He gave me 6 d. to carry this Sugar to *Tower-Hill.*

Q. Did he make that Pretence at that Time?

Everal. No, my Lord.

Q. *(to John Elton,* Serjeant) How long have you known the Prisoner?

Elton. I enlisted him in the *Tower.* I have no farther to say, but that in the Regiment he was a very sober, orderly Fellow, always behav'd well. Guilty.

---

92. **Jane Ross** was indicted for stealing a Parcel of Cotton, belonging to *William Jones.*

Q. *(to Jones)* What have you to say against the Prisoner?

Jones. On the 5th of this Month I was weighing off some Cotton at *Chester-Key.* I was weighing while the Landwaiter went to Dinner. Afterwards, when I went to Dinner myself and came back again to the Keys, I heard that the Prisoner at the Bar was detected for taking of some Cotton out of my Bag.

Q. How much?

Jones. I reckon about 2 lb.

Ebenezar Hartly. I am Constable of *Chester-Keys.* Coming on the Key the 5th of this Month, I saw this Woman and another at the Bag of Cotton. I came to her and ask'd her what she was doing. Said I, how came you by this? She said, the Porter gave it me. I said, she should go with me to the Porter, to know what Porter could give Merchant's Goods away. After that I found Mr. *Jones* out and shew'd him the particular Bag.

Q. *(to Jones)* Was this Bag your Father's?

Jones. Yes, my Lord.

Q. What did you do farther?

Hartly. I carry'd her before the Alderman. She said, the other Woman was to have half of it. And the Porter that had given it her was run away. But I saw the Woman take it myself.

Q. *(to the Prisoner)* What have you to say?

Prisoner. As I was coming along the Keys and picking up Bits of Chips, the other Woman said, will you let me put this into your Basket? The

Conſtable ſaid, you ſhall go along with me; ſo he let the Woman and Girl go, and he took me.

But ſhe could call no Witneſſes to prove it, nor to her Character. Guilty.

---

93. **Edward Crowther** was indicted for ſtealing 37 lb. of Pork, value 8 s. 10 d. the Property of *John Stevens*, the 14th Day of *February*.

Stevens. Laſt *Friday* was Sen'night, the 14th Day of this Month, I went to *Leadenhall-Market* with ſome Pork to ſell, and I ſold ſix Pigs to Mr. *Edge*. In about five Minutes Time I turn'd to ſee if they were all ſafe, and I miſſed one Side. I was making Enquiry about it and Mr. *Simſon* ſaid, he ſaw a Man carry away a Side of Pork. We cry'd out, Stop Thief. The Priſoner turn'd round and threw it down.

Q. (*to John Hulſe*, Conſtable) What have you to ſay againſt the Priſoner?

Hulſe. On the 14th Day of *February* I was going off my Duty; and hearing an Outcry, I turn'd back again. I look'd which Way the Priſoner ſhould come, and ſaw him ſhoot the Side of Meat off his left Shoulder. He had got a Knot on his Head at the ſame Time. And we took him up directly and had him to the *Compter*.

Q. What Meat was it?

Hulſe. They told me Pork, but I did not perceive what ſort of Meat.

Q. What became of him? Who took him up?

Hulſe. I took him my Lord, and had him before Sir *John Barnard*. He could make little or no Defence but that he was hir'd to carry it.

Q. (*to the Proſecutor*) Had you ſold this Pork?

Proſecutor. Yes.

Q. You had not deliver'd it.

Proſecutor. No. I had not deliver'd it.

Priſoner. When the Man that hir'd me heard the Cry of Stop Thief, he ran away and left me with the Meat. Guilty 10 d.

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94. **Francis Otter** was indicted for ſtealing one half Peck Loaf and two Quartern Loaves of Bread, value 2 d. the Property of *Caleb Lee*.

Abraham Whiteland. The Baker's Man uſually ſets his Baſket at the Door every Morning. I ſaw the Priſoner take the Bread.

Q. (*to Robert Bevis*) Do you know any Thing of his taking theſe Loaves.

Bevis. When I came to my Baſket Mr. *Whiteland* call'd the Priſoner back with the Bread.

Q. Whoſe Bread was it?

Bevis. Caleb Lee's.

Q. When the Priſoner was charg'd with it, what did he ſay to it?

Bevis. He ſaid that he bought them for a Perſon at the *Roſe-Alehouſe*.

Q. Did he deliver them back?

Bevis. Yes, my Lord.

Q. (*to the Priſoner*) Have you any Witneſs to your Character?

Priſoner. Yes, my Lord, he will appear for me To-morrow, he is out of Town. I liv'd with Mr. *Touchal*.

Q. (*to Bevis*) Have you ſeen him with Bread in the Street?

Bevis. Not with Bread, but I have ſeen him with Bakers. Guilty.

The Priſoner was recommended by Mr. *Whiteland* to the Favour of the Court, as being a poor Creature, for corporal Puniſhment.

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95. **Elizabeth Gardner** otherwiſe **Bridgewater** was indicted for ſtealing a Blanket and two Linnen Sheets.

Q. (*to Elizabeth Doney*) Do you know any Thing of this Woman's taking the Lodgings? Is it your Houſe?

Doney. It is my Floor, and I let the back Room out to Lodgings.

Q. Who did you hire it of?

Doney. Of *Elizabeth Cookſon*.

Q. Where is the Houſe?

Doney. In *Tyburn-Road*.

Q. How much do you let it for?

Doney. I let the back Room for 18 d. a Week.

Q. When did ſhe enter upon it?

Doney. On the 22d of *January*.

Q. Did you let any Blankets or any Linnen Sheets?

Doney. Yes.

Q. What became of them?

Doney. She had ſold them to this Gentleman.

Q. When did you miſs the Things?

Doney. On *Saturday* Night.

Q. How did you miſs them?

Doney. Seeing this Sheet double upon the Bed, I miſſed the other. Next Morning I knock'd at her Door, and deſir'd to ſee if my Linnen was there.

Q. Did ſhe make any Excuſe for herſelf when you charg'd her with it?

Doney. She ſaid ſhe did not know why ſhe took it. But while I was looking for the Things ſhe made her Eſcape. After this, ſhe ran away, and got

got on the other Side of the Road. She had cut out one of the Sheets for Shifts, and the other ſhe confeſſed ſhe had left with the Pawnbroker. Guilty.

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96. **Anne Davis** was indicted for ſtealing one pair of Linnen Sheets, the Property of *Joſeph Jones.*

Q. (to Elizabeth Jones) When did you loſe your Sheets?

Jones. About a Month ago.

Q. Where were they loſt?

Jones. They were loſt out of *Moor's* Yard, in St. *Martin's in the Fields.*

Q. How came you to ſuſpect the Priſoner?

Jones. As I went to fetch a pail of Water, I heard ſome Body go down the Stairs. I ſaid, I did not know but my Room was robb'd. My Neighbour ſaid, he ſaw a young Woman in a Cotton Gown go thro' the Yard.

Q. Did you find her at laſt?

Jones. She was ſtopp'd in *Half-Moon-Street.*

Q. Did you ſee the Priſoner?

Jones. Yes. She was carry'd to the *Round-Houſe.*

Q. Did ſhe own before the Juſtice that ſhe had the Sheets?

Q. (to the Priſoner) Would you aſk this Woman any Queſtions?

Priſoner. Did you ſee me take the Sheets off the Bed.

Court. After they were taken, ſhe ſaw them in the *Round-Houſe.*

Q. (to Thomas Atkin) How came you by this Sheet?

Atkin. On *Monday* the 27th of *February*, the Priſoner at the Bar brought it to our Houſe to pawn. My Mother had ſaid, a Perſon had been with us to give Notice of it. Guilty 10 d.

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97. **Mary Anne Ford** was indicted for ſtealing two Copper Saucepans, value 2 s. and a Cotton Gown, value 1 s. the Property of *Samuel Thackwaite.*

Q. (to Thackwaite) Did you loſe theſe Things. Two Copper Saucepans, a Braſs Pot and a Gown?

Thackwaite. Yes.

Q. When did you loſe them?

Thackwaite. The two Copper Saucepans we miſſed on *Tueſday* Se'nnight; the Pot on the *Friday* following, the Gown at the ſame Time.

Q. From whence did you miſs them?

Thackwaite. Out of the Kitchen, in *Marſham-Street, St. James's.*

Q. How came you to ſuſpect the Priſoner?

Thackwaite. Theſe two Copper Saucepans we miſſed on *Tueſday*, and we did not know whither they were gone. But on *Friday* Evening, between Eight and Nine o'Clock, this Woman, the Priſoner, my Wife catch'd in the Paſſage with the Braſs Pot and the Gown.

Q. Where did you find her? In the Kitchen?

Thackwaite. No, my Lord. In the Paſſage.

Q. What ſaid the Priſoner to it? Did you charge the Priſoner with taking this Pot? What had ſhe to ſay for herſelf?

Thackwaite. She did not ſay one Thing or another; we took her before the Juſtice and ſhe there own'd, ſhe took the Pot and Saucepan.

Q. (to Mary Thackwaite) What have you to ſay to this Woman?

Mary Thackwaite. My Lord I catch'd the Woman in the Paſſage. She miſſed her Step, which made me diſcover her. I open'd the Parlour Door, and ſhe dropp'd this Bed-Gown out of her Hand.

Q. What did ſhe ſay to the Pot?

Mary Thackwaite. She went to the Street Door, and as ſoon as I was paſs'd her, ſhe dropp'd the Pot beyond the Street Door.

Q. Your Huſband, I think, went for the Conſtable.

Mary Thackwaite. In the mean Time ſhe own'd ſhe had taken the two Saucepans the *Tueſday* before, and confeſs'd where ſhe had ſold them. She lay in our Houſe on *Monday* Night.

Q. How came ſhe to lie there?

Mary Thackwaite. She lay there unknown to us.

Q. She told you likewiſe where ſhe had ſold them.

Mary Thackwaite. Yes, my Lord.

Q. Have you got the Things again?

Mary Thackwaite. They are all here in Court, my Lord. The Pawnbroker would not confeſs that ſhe bought the large Pot of the Priſoner.

Q. (to the Priſoner) Have you any Witneſſes?

The Priſoner had nothing to ſay for herſelf, nei- had ſhe any to appear for her. Guilty 10 d.

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98. **Elizabeth Gray** was indicted for ſtealing two Pillowbears, the Property of *Richard Roberts.*

Roberts. The Priſoner at the Bar liv'd a Servant with me ſome Time, but it was not above a Month before ſeveral Things were miſſing in the Houſe. We could not tell who to fix it upon. At laſt we made them open their Boxes. All were very ready

to

to do it but this Perſon. When we came to ſearch her, there was nothing but a Cap found, but by farther Search we found two Pillowbears and a Towel.

Benjamin Jeniſon. I am Servant to Mr. *Roberts.* There were a pair of Ear-Rings loſt. My Maſter keeps ſix or ſeven Servants. I deſir'd my Miſtreſs to ſearch their Boxes and Trunks. Accordingly we all went up Stairs together. But there was nothing to be found of the Ear-Rings. I told my Miſtreſs as nothing could be found here, I begg'd we might all be ſearch'd in the Room. I firſt turn'd out my Pockets; then the Houſe Maid, then the Cook and another Servant or two; then we came to the Priſoner at the Bar. She refus'd. My Maſter had his Child by, a Youth. What is the Reaſon you won't ſearch your Box. Then ſhe turn'd her Gown a little on one Side, and the firſt Thing my Maſter ſaw was theſe two Pillowbears, the next was a Towel, and this Handkerchief, in which were five Candles conceal'd: And my Maſter was angry with her for concealing theſe Things. And the Juſtice, when we went before him, aſk'd her what Reaſon ſhe had to keep theſe Things in her Pocket. She anſwer'd, to keep them clean. Five or ſix Candles in them, fine Things to keep them clean indeed!

The Priſoner had little to ſay for herſelf. Guilty 10d.

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99. **Mary Pagram** was indicted for ſtealing a Silver Watch, the Property of *William Hayward.*

Q. (to Hayward) What ſay you to the Priſoner at the Bar?

Hayward. I was laſt *Friday* Evening at Mr. ——— 's in the *Little-Minories*; he aſk'd me to ſit down by the Fire; and there Sir, I fell aſleep, and when I awak'd, I felt in my Pocket and miſs'd my Silver Watch.

Q. (to the Priſoner) Would you aſk this Witneſs any Queſtions?

Priſoner. Sir, there was a young Woman in the Room at the ſame Time.

Q. (to Thomas Page) What have you ſay?

Page. About Seven o'Clock in the Evening, the Priſoner at the Bar brought this Watch to my Houſe, in order to borrow a Guinea and a half. I aſk'd her where ſhe liv'd. She ſaid, near where I liv'd. I aſk'd her whoſe Watch it was. She ſaid, her Huſband's, and that he was ill, and that ſhe pawn'd it out of Neceſſity, for her Huſband. Then, Sir, ſhe ſaid, I let you know, the Watch is not mine, but a Woman's whoſe Huſband is ill.

Q. Were you preſent when the Priſoner at the Bar confeſs'd this?

Page. Yes. When I had her before Juſtice *Toll*, ſhe confeſs'd ſhe had ſtole the Watch.

Q. (to Benjamin Wilſon) What do you ſay to this Matter?

Wilſon. I will ſwear this was the Watch; the Proſecutor bought and loſt the Watch on the very ſame Day.

Q. Are you the Maker of the Watch?

Wieſon. No, pleaſe your Honour, but I ſold it to him.

Court. Well Priſoner, you hear what he has ſaid againſt you, now 'tis your Time to make your Defence.

Priſoner. Pleaſe you my Lord, there was a young Woman in the Room. She is witneſs to it as well as myſelf, that ſhe gave me this Watch to carry to pawn, when I had Time: I had not been us'd to ſuch a Thing: I trembled all the Way I went.

Q. Was this young Woman in the Room all the while? Did ſhe give you the Watch?

Priſoner. Yes.

Q. Do you call any Body to your Character?

Priſoner. There is a couple in the Yard.

Q. (to Hayward) She ſays there was another Perſon in the Room at the ſame Time.

Hayward. Yes, there was a young Woman ſat by faſt aſleep.

Q. Were you thoroughly ſober?

Hayward. I cant ſay that I was. Guilty of Felony.

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100. **Catherine Burk** was indicted for ſtealing 10 lb. of Tallow Candles, the Property of *William George.*

Q. (to George) Give an Account of what you know of the Priſoner at the Bar.

George. On the 1ſt of *February*, the Priſoner at the Bar came to my Shop and ſtole ſome Candles. my Wife miſs'd ſome, ſhe thought, about 7 lb. the Night before. Some Time after, this Woman came for a halfpenny Candle. My Wife miſs'd ſome Candles that were hung upon the Pegs; upon which ſhe found 6 lb. under her Apron. We aſk'd her how ſhe came by them. She declar'd ſhe bought them in *St. John-Street.*

Q. Can you ſwear with any Certainty that theſe are your Goods?

George. I am certain they were, they were freſh made Candles. The Priſoner's Huſband was queſtion'd about the Candles, and ſaid, when we went to his Houſe, if there were any Candles they were ours; where we found 4 lb. more Candles, which I knew to be ours.

Q. (to

Q. (*to Anne George*) What do you know of this Matter?

Anne George. My Lord, On *Saturday* Night I had nobody in the Houſe but myſelf and little Girl. a Cuſtomer in the Neighbourhood ſent for ſome Candles, and ſaid they muſt have them then. When I came home I miſs'd ſeveral Pounds of Candles. I found the Priſoner in the Shop for a halfpenny Candle. I turn'd aſide her Cloak, and found 6 lb. in her Apron.

Negro, Conſtable. I took charge of her *Saturday* Night: When I came, the Candles were taken out of her Lap; which Mrs. *George* declar'd were her's.

Q. But what do you know of your own Knowledge, of the Priſoner at the Bar?

Conſtable. She could not tell on what Side of the Way in *St. John-Street*, the Man ſhe bought them of, liv'd, nor whether he was a tall Man or a ſhort Man that ſerv'd her.

Q. (*to the Priſoner*) What have you to ſay for yourſelf?

Priſoner. If the Court will give me corporal Puniſhment for it, I ſhall be very much oblig'd to them. Guilty 10 d.

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101. **Mary Cook** was indicted for ſtealing three pair of Sheets, value 6 s. and one Fire-Shovel, value 1 s. the Property of *James Webſter*.

Q. (*to Webſter*) What have you to ſay againſt the Priſoner?

Webſter. I let her and her Huſband a Room, for 18 d. a Week. It was a little before *Chriſtmas*, I can't tell juſtly the Day. Sir, ſhe robb'd her Lodgings, ſhe ſtole Sheets.

Q. How do you know ſhe ſtole them? You loſt Sheets and miſs'd them, you ſay?

Webſter. I found them at the Pawnbroker's.

Q. Did you carry the Priſoner before the Magiſtrate, did you examine her, or what did ſhe ſay?

Q. (*to the Priſoner*) Do you aſk this Witneſs any Queſtions?

Q. (*to Webſter*) Can you ſay that I took them?

Q. (*to Samuel Briggs*) What do you know againſt the Priſoner?

Briggs. I dont know any Thing, but that theſe People came to enqnire about the Sheets at my Houſe.

Q. Upon your Oath now, can you ſay that the Priſoner at the Bar brought the Sheets to your Houſe?

Briggs. I cant ſwear that ſhe brought Sheets at this Time; but ſhe has brought Sheets to me at Times for a Twelvemonth paſt.

Q. (*to the Priſoner.*) 'Tis now your Time to make your Defence.

Priſoner. Pleaſe you my Lord, I took the Room of theſe People two Months ago. They ſell Spirituous Liquors, and I and their Daughter got fuddled together, and ſhe perſwaded me to carry one of theſe Sheets, accordingly I brought them the next Morning. Acquitted.

102, 103. **Robert Wilſon** and **Barthia Whitefield** were indicted for ſtealing a Copper Funnel, value 10 s. the Property of *John Lowrey*, of *Weſtminſter*.

Lowrey. I loſt a large Copper Funnel between the Hours of Seven and Two.

Q. Where did you find it?

Lowrey. At a Broker's in *Moorfields*.

Q. Who firſt inform'd you where this Funnel was?

Lowrey. The Broker, my Lord.

Q. What is the Broker's Name?

Lowrey. David Carter.

Q. (*to David Carter*) Are you the Broker?

Carter. Yes.

Q. What have you to ſay touching the Matter now in Queſtion?

Carter. My Lord. Upon the 5th of *February*, between Eight and Nine o'Clock in the Morning, *Robert Wilſon*, the Priſoner at the Bar, brought to me a large Copper Funnel.

Q. To what Purpoſe did he bring it to you?

Carter. To ſell, my Lord. He aſk'd me 14 d. the Pound for it. I aſk'd him what it was. He ſaid it was the Head of a large Furnace. I aſk'd him what he was, and he ſaid, a Diſtiller. I ſaid it was very odd, that you ſhould be a Diſtiller, and ignorant what it was. My Lord, he told me that he liv'd at *Henly upon Thames*, that he was a Diſtiller, had come to Misfortunes, and muſt ſell it. So when I queſtion'd him about it, he ſaid, if you don't like it, or don't think that I came honeſtly by it, I'll leave it, and go fetch a Perſon to my Character. With that I told him I would not have the Things left, without he ſtaid himſelf. At laſt, a Gentlewoman, a Widow of a Common-Council-Man of our Ward, who was ſome Relation to the Priſoner's Father, deſir'd me not to charge an Officer with him. He equivocated in ſeveral Shapes. At laſt, he ſaid, his Wife had bought theſe Things of a Woman that ſold Rags and old Iron. Said I, what do you imagine your Wife might give for it? He inſiſted upon it, that ſhe might give a Groat a Pound. He told me his Father liv'd in *St. Giles's*, and

alſo his Brother. They directed me to the Priſoner's Houſe, but his Wife deny'd him. I went in the *Broad-Way, Weſtminſter.* I aſk'd there, if there were not ſeveral Gentlemen that keep Diſtiller's Shops thereabouts. Pray do you know any one in particular, I ſaid. They ſaid, pray what is your Buſineſs? This Morning I ſtopp'd a Copper Funnel, which I imagine was ſome Gentleman's Property hereabouts, becauſe the Perſon lives hereabours that brought it. Upon this we went to a Perſon of the Buſineſs, Mr. *Lowrey*; and it appear'd that he was the Perſon that had loſt the Funnel. Upon that we charg'd the Conſtable with the Priſoner. From that we went before the Juſtice and he was committed upon a Suſpicion, becauſe then Mr. *Lowrey* had not ſeen it. The next Day Mr. *Lowrey* came to me to ſee the Funnel, and ſwore it was his.

Q. (*to Lowrey*) Look upon that Funnel: Is it yours?

Lowrey. Yes. This is what I loſt the 4th of *February.*

Q. (*to the Broker*) Is that what you ſtopp'd?

Broker. It is what I ſtopp'd.

Council for the Priſoner. My Lord pleaſe to obſerve that any Confeſſion the Woman may make, muſt be againſt herſelf, it wont do againſt the other. He is charg'd in the Indictment with being the Principal.

Carter. He confeſs'd before the Juſtice that he gave a Groat a Pound for it.

Q. Did he confeſs he ſtood by when it was ſtole?

Carter. No.

Q. (*to the Broker*) Who brought the Copper to you?

Broker. The Priſoner brought it to me.

Q. (*to the Priſoner*) What have you to ſay?

Priſoner. This Man, when I came to bring the Funnel, ſtopp'd me: I emptied it out of my Sack, and they deſir'd me to ſit down by the Fire, and I ſat down. They brought a parcel of People into the Houſe, and ſtopp'd me and frighted me. They aſk'd me whether I had any Money in my Pocket. But the Broker ſaid, he would ſtop me with it, but not charge me with the Conſtable, and wanted me to run away. I ſent to my Father to *Broad St. Giles's*; and when my Brother came, he made him pay 6 d. for ſending his own Boy. The Broker told me I had a pretty deal of Impudence to aſk 10 d. the Pound for it.

Council for the Priſoner. I'll only mention this, that if this Man had been conſcious he had committed the Felony, 'tis certain he might have made his Eſcape.

Barthia Whitefield. I went to Mr. *Wilſon's*, the Priſoner; he ſaid to me, don't you never light on no Copper Pots, no diſtilling Things, I can ſee them lie about in Shops. The firſt Thing I ever took was two Funnels, and he bought them of me. About a Fortnight after, I took this large Funnel. I was in Company with him at the Time I took it. He ſaid, the Shop is clear, you may now take it. He receiv'd it of me, and gave me 3 d. the Pound for it.

Q. (*to Theodoſia Clarke*) Do you know any Thing of taking up *Barthia Whitefield* at the Bar? What do you know of it?

Clarke. I had a Crown Reward to take her.

Q. Where was *Wilſon* all this while?

Clarke. In the *Gatehouſe.*

Q. Had you ſome Reward for taking of her up?

Clarke. Yes. Of *Wilſon's* Spouſe. She ſaid, if you can catch her, I will give you a Crown.

It was anſwer'd *Whitefield* had never abſconded at all.

Q. (*to Samuel Cherry*) You are call'd to give an Account of *Robert Wilſon*, what Character does he bear in his Neighbourhood?

Cherry. I never ſaw any Thing by the Man, but that he was juſt and honeſt in all his Dealings.

Q. Have you any Sort of Acquaintance with him?

Cherry. I have ſeen People come to buy Rags, Bottles, *&c.* of him.

Q. You ſay he liv'd by you two Years, and you know no Ill of him.

Cherry. No.

Q. (*to Elizabeth Franklin*) How long have you known the Priſoner at the Bar?

Franklin. Very near two Years, Sir.

Q. What Character does he bear in his Neighbourhood?

Franklin. I never heard any ill Character of him, but that he was a very honeſt principled Man, ſince he came into the Neighbourhood.

Q. Have you any Acquaintance with him?

Franklin. I live in the Neighbourhood, have no Acquaintance or Dealings any farther than good Night and good Morrow.

Q. (*to Mary Cooper*) You are call'd to give an Account of *Robert Wilſon*; how long have you known him?

Cooper. About two Years.

Q. Then I ſuppoſe it is not above two Years ago that he came into that Neighbourhood; what Character does he bear?

Cooper. A very honeſt Character, as far as ever I heard.

Q. Have you any Acquaintance; have you had any Dealings with him?

Cooper.

Cooper. No. His Parents are very honeſt, juſt People, and I believe him to be ſo too.

Q. (*to Alice Hughs*) What Character does *Robert Wilſon* bear in his Neighbourhood?

Hughs. A very honeſt Character as far as ever I heard.

Q. Had you any Acquaintance, any Dealings with him?

Hughs. No, Sir.

(*to Sarah Smith*) You are call'd upon to the Character of the Priſoner at the Bar: Do you know any Thing of him?

Smith. Yes, I know him and his Father. I believe him to be a very honeſt Perſon.

In order to ſet this Matter in a clearer Light, we ſhall give the Cloſe of his Lordſhip's Charge to the Jury. Gentlemen, you are to put the whole Matter together. The Evidence ſeems to lie pretty ſtrong againſt *Wilſon*. His having ſtolen the Goods in Poſſeſſion, carrying them about in a ſuſpicious Manner, as I find he was found in three different Stories, theſe are ſtrong preſumptive Evidences of Guilt. What he has to take off that Preſumption was, that he was inſtrumental in apprehending of *Barthia Whitefield*; if you would make any Uſe of her Evidence, it muſt be taken together: That is, that ſhe did ſteal it, but that *Wilſon* was preſent at the Time that ſhe took it. Both Guilty.

Wilſon to be tranſported for 14 Years, and the Girl for ſeven.

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104. **Suſannah Cardwell** was indicted for ſtealing ſeven Linnen Sheets, value 10 s. two Linnen Table-Cloths, value 7 s. one Linnen Shift, value 2 s. four Silver Tea-Spoons, value 6 s. four Towels, value 1 s. a Hat, value 4 s. a Pillowbear, value 6 d. a pair of Silk Stockings and a Copper Pot, &c. the Property of *Samuel Coply*, on the 14th of *September*.

Q. (*to Coply*) Did you loſe any Goods at any Time?

Coply. Yes. I loſt two Linnen Table-Cloths, a laced Apron, a Cotton Gown, two Cloth Coats, a Silk Waiſtcoat, three pair of Worſted Stockings, a pair of Silk Stockings, a Copper Pot and a Silk Gown.

Q. Were theſe all your Goods?

Coply. Yes, my Lord.

Q. When did you loſe them?

Coply. At different Times.

Q. Can you tell when you miſs'd them?

Coply. The 14th of *September*.

Q. Where did you loſe theſe Goods?

Coply. Out of my Dwelling-Houſe.

Q. Where is your Dwelling-Houſe?

Coply. In *Chancery-Lane*.

Q. How long has the Priſoner been your Servant?

Coply. She came to me *Valentine* Day laſt was 12 Month.

Q. Having loſt all theſe Things, How came you to ſuſpect the Priſoner?

Coply. By her eloping from me.

Q. What Time was this? Did ſhe go without Notice?

Coply. Without Notice, my Lord.

Q. What was done upon that?

Coply. A Friend of mine took her.

Q. Where was ſhe taken?

Coply. In *Eagle-Street*, my Lord. I ſaw her there.

Q. Did you charge her with taking theſe Things?

Coply. Yes, my Lord. She acknowledg'd the taking of them.

Q. Did you mention all the particulars?

Coply. I can't ſay I did mention all of them, She own'd ſhe took them.

Q. Did ſhe make any Excuſe for herſelf?

Coply. She ſaid ſhe had a Lawyer ſhe ow'd four Guineas to, and ſhe wanted to raiſe Money to pay him.

Q. Did you carry her before any Magiſtrate?

Coply. Yes. Before Juſtice *Burdus*.

Q. Did ſhe make any other Excuſe there?

Coply. The ſame Excuſe.

Q. Had you the Things again?

Coply. I have had part, and the Pawnbroker the reſt.

Q. What's the Pawnbroker's Name?

Coply. *Johnſon*.

Q. (*to Johnſon*) What do you know of the Priſoner's having theſe Goods? Are they here?

Johnſon. Yes.

Q. Did the Priſoner at the Bar bring theſe Things to you to pawn?

Johnſon. Yes.

Q. When was it ſhe brought them?

Johnſon. She came to us at different Times for eight or nine Years. The firſt part of theſe Goods came in *July* 44.

Court. (*to Coply*) You ſay ſhe came to you but about a Year ago, then theſe Goods that were brought in *July* 44, could not be your Goods.

Court. (*to Johnſon*) Give an Account of what was brought to you from *Valentine* Day was 12 Month.

Johnſon.

Johnſon. The major Part of them was ſince that.

Q. Then firſt, is there any Table-Cloth, is there any Linnen Shift?

Johnſon. No, my Lord.

Q. Are there ſix Tea-Spoons, a Cambrick Handkerchief, or a laced Apron?

Johnſon. No, my Lord.

Q. A Napkin?

Johnſon. Yes, my Lord.

Q. How many?

Johnſon. Two.

Q. A Woman's Hat?

Johnſon. Yes.

Q. A Pillowbear, two Cloth Coats?

Johnſon. Yes, my Lord.

Q. A Silk Waiſtcoat, Worſted Stockings.

Johnſon. Yes.

Q. How many?

Johnſon. Two pair.

Q. A Copper Pot?

Johnſon. Yes.

Q. A Silk Gown?

Johnſon. No.

Q. Are theſe Things that were mention'd, brought here?

Johnſon. Yes.

Court. Let the Proſecutor look upon them.

Q. (to Johnſon) Have you any more to ſay?

Johnſon. This Gentleman, the Proſecutor, aſk'd me if I had ſuch and ſuch Things. I ſhew'd him ſome Things that he did not know he had loſt. He did not chuſe to proſecute at this Time, but took out a Warrant by Juſtice *Burdus* againſt me for receiving Goods known to be ſtolen. So he brought an Action againſt me for the Goods.

Q. (to Coply) What became of the Action; Is the Action depending?

Coply. I order'd the Attorney to ſtop it. I thought I had got into bad Hands, it is not yet determin'd.

Q. (to the Priſoner) What have you to ſay for yourſelf?

Priſoner. Pleaſe you, my Lord. Part of the Money I had for theſe Things, I had for my own Uſe, and ſome my Maſter had at different Times. I laid out the Money for Fiſh, Liquors, *&c.* Pleaſe you my Lord.

Q. (to Coply) She liv'd with you near a Year, did you pay her any Wages?

Coply. I lent her 13 s. 9 d. and 5 s my Wife lent her unknown to me. And I engag'd for a pair of Shoes for her. But there was more due than this.

Priſoner. Pleaſe you, my Lord, my Miſtreſs had a Quilted Petticoat of mine, ſhe wore it moſt part of the Summer.

Q. (to Coply) Had your Wife a Petticoat of her's?

Coply. She told my Wife ſhe had a Petticoat at pawn, at ſuch a Place, and if my Wife lik'd it, ſhe ſhould have it.

Q. Did your Wife wear it?

Coply. I don't know, ſhe might wear it for aught I know.

Court. The Priſoner ſays, ſhe wore it for the whole Summer.

Q. (to the Priſoner) What was ſhe to pay for it?

Priſoner. It coſt 13 s. 9 d.

Q. (to Coply) Then you have paid her no Wages.

Priſoner. Pleaſe you, my Lord, I have had 9 s. of my Maſter. My Maſter had of me, a Shilling he borrow'd, and ſometimes he had 18 d. and ſometimes when he wanted Change, he would aſk for 2 d. or 3 d. and I take it to be 3 s. in all.

Q. (to Coply) At the Time ſhe pretended to take theſe Things, were you indebted to her the Value of them?

Coply. My Lord, I can't ſay any Thing to that. If ſhe went away I could not have paid her. I never turn'd a Servant away without their Wages in my Lifetime.

Q. (to the Priſoner) Have you any Witneſſes?

Priſoner. My Maſter, who is a Diſtiller upon *Snow-Hill*, and my Miſtreſs, have ſent to me twice, and promiſs'd to come to appear for me when my Trial was to come on.

Court. Send for your Maſter and Miſtreſs.

They were ſent to, but were gone out to Supper.

Her Maſter was deſir'd by the Court to pay her her Wages, upon receiving the Things. Acquitted.

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105. **Jane Evans** was indicted for ſtealing two Books, value 2 s. 6 d. the Property of *James Slater*, on the 22d of *February*.

Q. (to Slater) What have you to ſay againſt the Priſoner?

Slater. On *Saturday* Night laſt, about an Hour before dark, the Priſoner took two Books off of my Stand; one is call'd *Milton's Paradice Loſt*, the other, a Poem in 12 Books, call'd, *A Collection of Thoughts, Moral and Divine.*

Q. When ſhe took them, how far did ſhe go with them?

Slater. She went away with a Purpoſe to carry them

them off, for ſhe ſaw nobody there. I had that very Day loſt another of theſe Books.

Q. How far from the Stand was you?

Slater. One or two Doors from it. She met me with the Book under her Cloak.

Q. What did you do upon that?

Slater. My Lord, I ſtopp'd her. I charg'd her with having my Goods. She ſhuffled, and aſk'd what I had to do with her. And I caught theſe two Books from her, and I got her into a Houſe.

Q. And what had ſhe to ſay for herſelf?

Slater. That ſhe had done nothing amiſs, and if ſhe had, ſhe deſir'd to anſwer for it. And deſir'd I would not uſe her ill, and the like. She was very bold in her Expreſſions. I took her before the Juſtice; the Juſtice aſk'd her if ſhe had nothing elſe to live upon but this; ſhe anſwer'd, ſhe had two Children, and was oblig'd to follow this Employment to maintain them.

Q. (to the Priſoner) Would you aſk him any Queſtions? He ſays he ſaw you take theſe two Books from the Stand in *Holborn*. That he met you coming up towards him. He took them from you, and you confeſs'd you was forced to do ſo. Now make your Defence.

Priſoner. Sir, I was juſt going from the Stall and I ſaw a Gentleman with a Plaid Morning Gown; and I aſk'd him where the Gentleman was that belong'd to the Books. I had one Book in one Hand and another in the other; and had a Deſign to buy them.

Q. What did you want to buy theſe Books for?

Priſoner. To read.

The Court put the Priſoner to read *Milton*, but ſhe did it but very indifferently. She ſaid ſhe was a poor Woman, and could read *Welſh* better than *Engliſh*. Guilty 10 d.

Order'd by the Court for Corporal Puniſhment, and to be paſſed into the Country.

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106. **Mary Inwood** was indicted for ſtealing a Copper Tea-Kettle, value 18 d. and two Stuff Bed-Curtains, the Property of *Elizabeth Whichurch*.

Q. (to Whichurch) Did you loſe a Copper Tea-Kettle, and two Stuff Bed-Curtains?

Whichurch. Yes.

Q. When did you loſe them?

Whichurch. I loſt them laſt Sabbath Day.

Q. From whence?

Whichurch. From my Lodgings.

Q. Where is your Houſe?

Whichurch. In *Cucumber-Alley*, by the *Seven-Dials*.

Q. How come you to ſuſpect the Priſoner took them?

Whichurch. She own'd it, my Lord.

Q. Where did you carry her when you took her up?

Whichurch. Before Juſtice *De Veil*.

Q. What were the particular Words ſhe made uſe of? Did ſhe own ſhe took the Tea-Kettle and pawned it to the Pawnbroker.

Whichurch. She own'd ſhe took them, and pawn'd them to one Harper.

Thomas Baſs. I took a Room of this good Woman, and I told her I found the Tea-Kettle was miſſing, and the Priſoner own'd that ſhe pawn'd it to Mr. *Harper*, and he ſaid he knew it to be ſtolen when he took it in.

Q. (to Benjamin Harper) What have you to ſay to this Tea-Kettle and Curtains?

Harper. I did not take theſe Things in: But ſhe come ſuddenly to my Spouſe; ſaid, her Huſband had got no Money, and they were almoſt ready to ſtarve, and my Wife let her have a Loaf and Cheeſe, and 6 d. more the next Day. She wanted to ſell it for 6 d. more. I ſaid, if you will bring the right Proprietor I will give you 6 d. more for it, for I am afraid you have ſtole it. Guilty 10 d.

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107. **William Mozz** was indicted for ſtealing two Saws, the Property of *Robert Edwards*.

Q. (to Robert Davis) What have you to ſay of this Affair?

Davis. The Priſoner brought the Saws to my Maſter, who is a Pawnbroker.

Q. Do you know whoſe they are?

Davis. They belong to *Robert Edwards*.

But *Edwards* not appearing the Priſoner was acquitted.

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108. **Elizabeth Gooden** was indicted for ſtealing a Sheet, value 2 s. out of the Houſe of *Edward Morley*, *King-Street*, *Weſtminſter*.

Q. (to Morley) Did the Priſoner take a Lodging at your Houſe?

Morley. Yes.

Q. What did ſhe pay for it?

Morley. Eighteen Pence.

Q. When did ſhe take it, did you let her any Goods with it? Did you lend her two Sheets?

Morley. Yes. One was a new and the other an old one.

Q. Did you miſs the Sheets after ſhe came into your Lodgings?

Morley. Yes; for ſhe went away before her Week was out, and the Sheets were miſſing.

Q. What did ſhe ſay when you took her up?

Morley. She owned the Sheets at firſt. She would have had her Huſband to pull off his Shirt to make me Satisfaction. We had the Huſband taken up firſt, to make him find her.

Q. Did they come to your Lodgings together?

Morley. Yes.

Q. Did they live together as Man and Wife in your Lodging?

Morley. Yes. Not Guilty.

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109. **Adam M'Carnic** was indicted for ſtealing nine Pair of Stocking, the Property of *Robert Mills*, on the 14th of *February*.

Q. (*to Peter Paris*) Do you belong to Mr. *Robert Mills?*

Paris. I am a Houſekeeper almoſt right againſt him.

Q. (*to Mr. Mills*) What is your Buſineſs?

Mills. I keep a Linnen-draper's and Slop-Shop.

Q. Do you ſell Stockings?

Mills. Yes.

Q. Where is your Houſe, Sir?

Mills. On *Tower-hill*, my Lord.

Q. Did you, at any Time, loſe any Stockings out of your Shop?

Mills. Yes, my Lord.

Q. Are they here in Court?

Mills. Yes; the Evidence has had them ever ſince the Priſoner was taken up.

Q. Have you any Thing to ſay of the Priſoner's taking them, of your own Knowledge?

Mills. The Week before he was taken, I ſaw a Lad take a Bundle of Stockings: He had got a looſe Great-Coat on; when we catch'd hold of him, he ſlipt his Coat. I had a Suſpicion after that.

Q. (*to Peter Paris*) What have you to ſay?

Paris. I was ſitting, looking out of my Window; I ſaw this Boy, the Priſoner at the Bar, reaching over the Hatch of the Gentleman's Shop, between Three and Four o'Clock in the Afternoon, on the 14th of *February*; I ſaw the Boy come away with the Bundle of Stockings; I ſtept to the Door, as faſt as I could (for I was lame;) by that Time he was got even with me; you Raſcal, ſays I, you have robb'd the Gentleman's Shop. I cry'd, Stop Thief! and he was immediately taken and carried before the Juſtice.

Q. (*to the Priſoner*) Would you ask any Queſtion? Have you any Witneſſes?

Priſoner. I have not a Friend in the World.

Q. Have you any Thing to ſay for yourſelf.

The Priſoner had little to ſay in his own Defence. Guilty 4 s. 6 d.

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110. **Elizabeth Oldham** was indicted for ſtealing the Head of a Hammer, the Property of *George Mackey*, on the 3d of *February*.

——— *Gimox.* The Priſoner came into my Houſe to call for a Pint of Beer; I deſired her to go about her Buſineſs; ſhe called me a ſawcy Fellow: At laſt ſhe was ſo ſaucy, I turn'd her out. She was not ſatisfied; but ſhe came again the ſecond or third Time. As ſhe went out I thought ſhe made a Sort of a Stop, and had got a Pot of mine; and I found the Head of the Hammer upon her as ſhe was going out.

Q. (*to Mackey*) When did you loſe this?

Mackey. The 3d of this Month.

Q. (*to the Priſoner*) What have you ſay?

Priſoner. I being in Neceſſity, and making away with my Stays, I met a Woman I knew; I ſaid, I ſhould like to have a little Broth; I gave her Sixpence to buy me a little Meat; I told her that I would come to her again; I went to the firſt Alehouſe, calling for a Pint of Beer, I inſiſted to have it warm'd; but he puſhed me about; I did not know it was the Maſter of the Houſe. The Hammer Head I receiv'd of the other Woman; but I went out without it.

Q. (*to Gimox*) Did you take the Hammer Head from the Priſoner? Had ſhe it in her Hand?

Gimox. She had laid it down before.

As there was but preſumptive Evidence againſt the Priſoner, ſhe was acquitted.

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111. **Anne Thomas** was indicted for ſtealing a Tea Spoon, value 12 d. and a Pair of Stockings, on the 18th Inſtant.

Q. (*to Frances Langſtaff*) Did you loſe any Goods at any Time?

Langſtaff. My Lord, I loſt a Pair of Stockings and a Tea Spoon, the 18th Inſtant.

Q. From whence?

Langſtaff. Out of my own Room, in *Caſtle-Street, Spital-Fields.* She came to me, and aſk'd me how I did. Says I, your Name was *Robinſon*, but now it is *Anne Thomas.* She ſaid, ſhe ſaw my Daughter in *Shoreditch*, and gave her 6 d. She ſaid, God had thrown it in her Way to do Good; God had given her 40 l. a Year. I fetch'd a Pint of Drink for her, but ſhe had a Dram firſt. She promiſed what great Things ſhe would do, as ſhe has

has to a great many beſides me. She was to go to take her Quarter's Money, and that ſhe had found Ten Queen *Anne*'s Guineas, and promiſed to make me a Preſent of One when I had winded my Silk to carry it home. Now ſays ſhe, I will go to *George*'s *Yard*. They know her. Says ſhe, do you carry your Work home, and I'll go there and order a Steake, ſomething hot for the Mouth, againſt Twelve o'Clock: I muſt be at the Inn at One: So I went and told another Perſon of it, and ſhe had decoy'd her with the ſame Story. I went to aſk if ſuch a one was there; ſhe ſaid, ſhe was not, but ſhe was here laſt Night. I ſaid, ſhe has robb'd me of a Pair of Stockings and a Spoon. This Gentlewoman, that I went to, was ſitting in a Room with her Mother. Says this Gentlewoman, ſhe (*the Priſoner*) is juſt gone by the Door; I went after her, and ſaid to her very ſoftly, Come, let us go back and ſee Mrs. *Ferguſon*. When we came into the Houſe, I was in a Paſſion: I clapt my Hands on each Side of her, and found the Stockings on one Side in her Pocket; I threw them down at the Feet of the Table, and ſhe ſaid, they were not mine. I ſaid, they were mine, for they had a Darn in ſuch a Place. Now, I ſaid, give me my Spoon: She ſaid, ſhe had it not, and made many Wiſhes. I ſaid, let me feel in your Breaſt, and I found it there. If it is mine, it is mark'd with *F. L.* accordingly it was.

Q. Did you loſe the Stockings and Spoon out of your Room?

Langſtaff. Yes.

John Murray, Conſtable. The Priſoner confeſſed the Things when ſhe was committed. She own'd that ſhe took them, and they were taken upon her.

Q. (*to the Priſoner*) What have you to ſay to this?

The Priſoner had nothing to ſay. She is near 60 Years of Age. Guilty 10 d.

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112. **Peter Swan** was indicted for ſtealing a Looking Glaſs, value 20 s. two Linnen Sheets, one Pillow, one Pewter Plate, and two Curtains, value 3 s. the Property of *Henry Gilſon*.

Q. (*to Mary Gilſon*) What do you know of this Matter charg'd on the Priſoner at the Bar? Did you let him the Lodgings? You ſay you charge him with theſe Goods; what do you ſay in order to charge him?

Mary Gilſon. He robb'd me.

Q. How do you prove he robb'd you? When did you let the Lodgings to him?

Mary Gilſon. About four Months ago.

Q. When did you firſt miſs the Goods?

Mary Gilſon. About a Fortnight ago.

Q. Then you charg'd the Priſoner at the Bar?

Mary Gilſon. Yes, my Lord, then I aſk'd him for the Keys, when he made me diſtruſt he had robb'd his Lodgings.

Q. Who did he pawn them to?

Mary Gilſon. I don't know the People's Name, or the Place; but he carried me to the People where he had pawn'd them. Firſt I found the Looking Glaſs, then the Sheets; the Blanket or Pillow I have not found, nor could I find, nor the Braſs Candleſtick.

Q. Then you found nothing but the Looking Glaſs and Pair of Sheets? [The Curtains, Glaſs and Sheets were produced in Court.] Have you any Thing farther to ſay againſt this Man?

Q. (*to the Priſoner*) Will you aſk the Witneſs any Queſtions? She ſays, you own'd you had robb'd your Lodgings, and you carried her to the Place, and confeſſed the taking of theſe Things.

Priſoner. I took theſe Things out of meer Neceſſity, out of no Deſign to wrong her. I had not diſcharg'd the Room, nor given the Key up.

Thomas Pulling. I am Conſtable. The Warrant was brought to the Priſoner's Wife. I took her up, but I could do nothing with her. The Priſoner took theſe Things, and pawn'd them in *Broad St. Giles*'s Pariſh. He went the Day before I took him up, took the People to buy out the Glaſs, Curtain and Sheet, after he knew the Warrant was out againſt him: His Wife told us ſo.

Q. Did he own to you he took the Goods and pawn'd them at the Pawnbrokers? and that he got the People to fetch them out?

Pulling. Yes.

Q. (*to the Priſoner*) What have you to ſay in your own Defence?

Priſoner. I had no Deſign to rob you.

Found Guilty of taking them feloniouſly 4 s. 10 d.

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113. **George Burn** was indicted for ſtealing three Blankets, value 4 s. 6 d. two Sheets, value 4 s. one Pillow, value 8 d. a Copper Tea-kettle, 1 s. 6 d. the Property of *Robert Beſt*, on the 20th of *February*.

Q. (*to Robert Beſt*) What have you to ſay againſt the Priſoner at the Bar? Did you let Lodgings to him?

Beſt. My Wife did, my Lord.

Q. When did ſhe let the Lodgings to him?

Beſt. In *May* laſt.

Q. How

Q. How long did he continue in the Lodgings?

Beſt. 'Till he was taken up.

Q. How came you to take him up?

Beſt. We had a Suſpicion.

Q. What follow'd upon that? Did you examine him about it?

Beſt. Yes; and he told me where the Things were, and we had a Warrant and found them.

Q. And you found them where he told you?

Beſt. Yes, my Lord.

Q. What did you find there?

Beſt. Three Blankets, a Pair of Sheets, a Pillow and Bolſter, and Tea-kettle.

Q. And theſe were your Goods? They were Part of the Furniture of his Lodgings?

Beſt. Yes, my Lord.

Q. (*to the Priſoner*) Will you aſk this Witneſs any Queſtion?

Priſoner. Pleaſe to ask him how long it is that he knew thoſe Things were pawned?

Q. (*to the Witneſs*) How long is it ſince you found theſe Things?

Beſt. I found ſome miſſing about ten Days ago.

Q. When did you take him up?

Beſt. Laſt *Thurſday*.

Q. When had you firſt a Suſpicion of him?

Beſt. About ten Days ago.

To the Priſoner. He ſays he entertain'd a Suſpicion of you about ten Days or a Fortnight ago.

Priſoner. Pleaſe you, my Lord, 'tis above three Months ſince: 'Tis a very bad Time of the Year; I paid Half a Crown a Week, and they teaz'd me for the Money; I ſaid I muſt be obliged to make away with the Things, if they muſt have the Money. After that, my Lord, I told him, that the Rent of the Room was too dear for me; as ſoon as ever I could make it good I would quit his Lodgings; but I never quitted my Lodgings, 'till he obliged me to it. I could bring a Gentleman, my Friend, that would have laid down the Money: He made an Agreement with me, not above a Fortnight ago, if I would pay him five Shillings a Week, that he would be eaſy with me and bring the Things out by little and little as I could; but there is ſomething that vexed him that made him do it. I had no deſign to wrong him. Guilty 4s. 10d.

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114. **Catherine Howel** was indicted for ſtealing one Piece of Foreign Gold Coin, called a Moidore, three Pieces of Gold, called Half-Guineas, and forty Shillings in Silver, out of the Dwelling-houſe of *Thomas Clarke*, on the 20th of *January*.

Q. (*to Thomas Clarke*) What have you to ſay againſt the Priſoner at the Bar?

Clarke. She was a Servant of mine; I had Occaſion to go up to my Drawers to fetch ſome Money, which was three Guineas: This was a little Time before I loſt the Money.

Q. How long was it ago?

Clarke. On the 20th of *January*. My Child was ſick of the Small-Pox; I left two Women to take care of it: This *Catherine Howel*, the Priſoner, unlock'd my Drawers, took out this Money. The People thought that I had ſent her; they came and told me of it. I went up to the Drawers and found my Money was gone: She was going away and had made up her Cloaths, and amongſt them I found one of my Shirts, and I tax'd her with it and ſhe deny'd it. While we were ſearching of her ſhe had about 40 Piece of ſmall Money wrapp'd up in a Paper, which ſhe endeavour'd to throw behind the Clock. Afterwards I found two Guineas and a Moidore, and two Half Guineas which I took out of her Mouth.

Q. Did you carry her before a Magiſtrate? Was there any Examination taken of her?

Clarke. Yes.

Q. (*to the Priſoner*) Will you aſk your Maſter any Queſtions.

The Priſoner declar'd that ſhe got the Money before ſhe came to him.

Q. (*to the Priſoner*) Your Maſter ſays you were making off, and that you had put up a Shirt of his.

Priſoner. I don't know any Thing of it.

Q. (*to Mary Aldchurch*) What do you ſay to this?

Aldchurch. I ſaw the Priſoner open the Drawers on the 20th of *January*.

Q. Where were the Drawers?

Aldchurch. In one pair of Stairs forward.

Q. Were the Drawers in the Room where you were?

Aldchurch. Yes. All the Time ſhe ſtoop'd, and in a ſideling Way look'd at me all the while.

Q. When you ſaw her at the Drawers, did you not go to her, as People us'd to do in ſuch Caſes, to know what was the Matter?

Aldchurch. No. Then I ran down and told my Brother.

Q. (*to Clarke*) Then the Money that was wrapp'd in Paper, was your's.

Clarke. Yes, Sir.

Q. You ſay ſhe threw it againſt the Clock; did ſhe throw it behind the Clock?

Clarke. Yes, and it hit againſt the Clock. She had One-Guinea in her Pocket, nineteen Shillings, one.

one Crown Piece, four Half Crowns, and a Piece of Money reſembling a Half Crown that was not good.

The Pieces were produced in Court.

Clarke. This Piece I have had above three Years.

Q. (*to Aldchurch*) Do you know of any Money being taken out of her Mouth?

Aldchurch. Yes. I was in the Houſe at the ſame Time.

Q. What Money was that?

Aldchurch. A 27 s. Piece, two Guineas and two Half Guineas.

Q. Did you examine the Priſoner's Bundle?

Aldchurch. Not juſt then, but I did afterwards.

Q. How long after?

Aldchurch. About an Hour and a half, I can't juſtly ſay.

Q. (*to the Priſoner*) Will you aſk this Witneſs any Queſtions;

Priſoner. I got the Money before I came there, and they heard the Money gingle down, and then they bid me mend my Maſter's Stockings. Did you ſee the Money in my Cloathes?

Q. (*to Anne Sparks*) What have you to ſay againſt the Priſoner at the Bar?

Sparks. I was in the Room ſitting in the Chair againſt the Drawers. She drew away the Chair and open'd the Drawer, and took ſomething out and went to put it into her Pocket, and put it beſide her Pocket. She took it up again and went off with it.

Q. Were you preſent at the ſearching of her?

Sparks. Yes, my Lord.

Q. What was found upon her?

Sparks. The Money before mention'd.

Q. Did you examine her Mouth?

Sparks. No, my Lord. But I ſaw the Money when taken,

Q. (*to the Priſoner*) What have you to ſay for yourſelf?

Priſoner. I got the Gold and Silver and ſmall Money before I came to his Houſe. My Gold I had in my Box.

Q. You ſay it was your own Money: How came your Money in your Maſter's Drawers?

Priſoner. I did not touch any.

Q. You muſt conſider here was a counterfeit Half Crown. The Witneſſes both ſwear the counterfeit Half Crown was taken from you, and your Maſter ſwears that he had it three Years. If your Money was your own why did you put it into your Mouth?

Priſoner. I was like to be tore to Pieces about it.

Q. Your Maſter, when you was charg'd about it, ſaid, you deny'd you had any Money about you.

The Judge to the Jury. Gentlemen, it is laid as a capital Felony. They have prov'd one Moidore, two Guineas and two Half Guineas, *&c.* that I don't ſee how it is poſſible for you to lower the Value of Money. Guilty **Death.**

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115. **Elizabeth Hooker** was indicted for privately ſtealing from *Rachel North*, 5 s. 6 d. ½, two Half Crowns and 6 d. ½.

Q. (*to North*) Give an Account of what you know of the Priſoner at the Bar. She is charg'd with picking your Pocket.

North. Gentlemen, my proper Witneſs is not here, I have ſent, I expect him to be here every Moment.

Q. Give an Account of what you know of this Matter.

North. I had been at an Acquaintance's Houſe of mine, the other End of the Town. Coming home I was very late, between Eleven and Twelve o'Clock.

Q. When was this?

North. To the beſt of my Knowledge, *Sunday* Night laſt was three Weeks; this happen'd in *Cheapſide*, near *Bow* Church: There were two Creatures came up to me and ſaid, How do you do, good Woman? She (the Priſoner) got up cloſe by me, whereas my Pocket hung as it does now: Says I, good Woman, I don't know you. There were two Creatures together. She put her Hand into my Pocket and took out two Half Crowns, a new Sixpence and ſome Farthings, to the beſt of my Knowledge three Half-pence. When ſhe took it out I felt her Hand in my Pocket, but I did not ſeize her immediately, becauſe I could not ſee the Watchmen about. Thinks I, when I ſee a proper Watchman I'll charge you with it. There were three of the Creatures. When they came down *Foſter-Lane*, ſays ſhe (the Priſoner) I'll go Home this Way; ſays I, I can go Home this Way too. When I ſaw the Watchman upon the Stand I took immediately hold of her Arm; I ſaid, you have robb'd me of ſuch and ſuch Money. When we came to the Watchman, as ſhe is a common Creature that every one knows, I ſaid, you robb'd me; ſhe expreſs'd herſelf in a Way I cannot expreſs. I have a Huſband, and I have got a Child almoſt nine Years old; I told her, I did not know what ſhe meant by it; I don't deſire, I ſaid, any further Law; but I would have my own. Says the Conſtable, give

this poor Woman her Money, if you have robb'd her; and if you inſiſt upon it, good Woman, ſhe muſt go to the *Compter*. Says I, ſhe has robb'd me. When ſhe came to the *Compter* Gate, oh! ſays ſhe, I'll give twenty Half-Crowns, I'll give you your Money again to let me free. Pleaſe you, my Lord, we went to the *Compter*; when we went before the Alderman, oh, ſays he, *Elizabeth Hooker*, I know you to belong to a Gang of Thieves in *Cheek-Lane*, you come often upon ſuch Affairs, I muſt commit you. The Alderman told her he had ſeen her in the Streets at Night.

Q. (*to Rachel North.*) Where do you live?

North. I live at *Hackney*, overagainſt Juſtice *Mark*'s.

Q. How did you come to charge the Priſoner at the Bar, when you ſay there were two Women?

North. One of them went before, ſhe (the Priſoner) ſtood up cloſe by me.

Q. When did you find your Pocket was pick'd?

North. That very Inſtant, my Lord.

Q. When did you firſt examine your Pocket?

North. After this Accident.

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtions?

Priſoner. My Lord, I have known the Witneſs theſe twenty Years; ſhe has been try'd ſeveral Times here; ſhe has ſtood in the Pillory three Times: My Lord, ſhe charg'd another Woman with the Robbery as well as me. She aſk'd me to go to drink with her. Enquire her Character. Coming down *Honey-Lane* Market, the Proſecutor ſtanding by the Door, ſhe aſk'd me to go and drink with her; ſhe inſiſted I ſhould go and drink along with her. I follow'd down all *Cheapſide*: As I came down there, there came along a Man with a Link in his Hand. The Proſecutor inſiſted I ſhould drink with her, or elſe, ſhe told me, it would be the worſe for me. Says ſhe, here is the Watchman, I'll charge you with ſtealing two Half-Crowns, and a new Sixpence, and three Halfpence. I ſaid, You Watchman, ſee I throw nothing out of my Pocket. When I came into the Watch-houſe the Conſtable ſearch'd, me and ſearch'd the other young Woman. When we came in to the Watch-houſe, he ſays, What *Rachel*, the *Jew*, &c.

Q. (*to George Maſon, Watchman.*) What do you know touching this Matter?

Maſon. I was in the Houſe when ſhe was brought down into the Watch-houſe: I was in the Houſe all the Time ſhe was there along with the Man ſhe was charg'd with. What the Priſoner ſays is all falſe; ſhe was not ſearch'd in the Watch-houſe by the Conſtable, nor any one elſe.

Q. Was ſhe ſearch'd at the Compter?

Maſon. She offer'd rather to give twenty Half-Crowns than go to the Compter.

Q. (*to the Priſoner.*) You have ſaid that the Witneſs, *Rachel North*, has been convicted of Perjury; if you object that againſt her, you muſt prove it.

Priſoner. My Lord, ſhe ſtood once at the End of *Fetter-Lane*; once at the End of *Fleet-Lane*; and once at the End of *Fleet-Market*. She has been tried ſeveral Times at the *Old-Baily*.

Q. (*to the Priſoner.*) Have you any Witneſſes to call?

Priſoner. Yes.

Q. What, do you call theſe Witneſſes to your Character?

Priſoner. To my Character, my Lord.

Mary Harriſon. Pleaſe you, my Lord, I was along with my Miſtreſs; we had been out at Dinner. We met the Proſecutor; ſhe aſk'd my Miſtreſs to drink a Dram: She ſaid, if ſhe did not drink a Dram it would be the worſe for her. She follow'd us down *Foſter-Lane*; there ſhe charg'd her with the Watch; there the Priſoner at the Bar was ſearch'd, and they found no more than a Sixpence, a Thimble, and a Knife.

Q. Where did the Conſtable ſearch her?

Harriſon. In the Watch-houſe.

Q. Were you ſearch'd too?

Harriſon. Yes, pleaſe you, my Lord. I had two Shillings in my Pocket.

Q. (*to George Maſon.*) Was this *Mary Harriſon* in the Watch-houſe?

Maſon. Yes; but what ſhe ſays is all falſe, for ſhe was not ſearch'd.

Q. (*to Mary Harriſon.*) What farther have you to ſay?

Harriſon. The Conſtable ſearch'd us, but found no ſuch Money about us.

Q. Did you go to the Compter with her the next Day?

Harriſon. No; only to ſee her. When we were in the Watch-houſe the Proſecutor charg'd me as a Party concern'd; but afterwards ſhe ſaid, I have nothing to ſay to her Charge. But when I was coming out, ſhe charg'd me again; then the Conſtable would not take her Charge.

Q. Was the Watchman charg'd with you as well as with the Priſoner?

Harriſon. No, my Lord, ſhe did not charge me.

Q. Is the Priſoner your Miſtreſs?

Harriſon. Yes.

Q. What Buſineſs does your Miſtreſs follow?

Harriſon. She deals at *Rag-Fair* in buying and ſelling old Clothes.

Q. Who

Q. Who is the next Witneſs?

Q. (*to John Halberd.*) What are you?

Halberd. I am a Diamond-cutter by Trade; but I have been a Porter for ſome Years behind the *Royal-Exchange.*

Q. What have you to ſay to this Matter?

Halberd. I had been home with my Maſter that I did Buſineſs for; he had been drinking at the *Angel*, at one Mr. *Pauling*'s; he order'd me to attend upon him with a Link. I was coming home to *Crowder's-Well-Alley:* As I was coming along, over-againſt *Bow-Church*, I ſaw this Woman and the Priſoner at the Bar: So, ſays I, how do you do. I had known her by coming up and down the Street. *Phillis*, ſaid I, how do you do; if you think proper to go my Way, you ſhall partake of the Light of my Link: With that, this Woman inſiſted upon the Priſoner at the Bar to drink; the Priſoner made Anſwer, ſhe would not drink with her at all, ſhe did not like her. The Proſecutor anſwer'd, If you won't drink with me it will be worſe for you by and by. With that, I ſaid to *Phillis* at the Bar, I can't ſtay, God bleſs you, I wiſh you good Night. In about two or three Days after ſhe ſent for me to *Wood-Street Compter:* That is all I know of it.

Q. (*to the Proſecutor*) Did you ſee this Porter?

Proſecutor. Pleaſe your Honour, there was no Man with her, 'till they came to the Watch-Houſe; there was no Man there with a Link nor any Thing elſe.

Q. (*to Anne Higham*) What do you know of this Matter?

Higham. I know nothing of it, but I come to give the Priſoner a Character. I never heard any Thing againſt her in my Life. I have truſted her in my Houſe, and left her in my Houſe.

Q. How long have you known her?

Higham. I have known her theſe ſix or ſeven Years, my Lord.

Q. You take her to be an honeſt Woman.

Higham. I never heard of her being diſhoneſt.

Q. Have you ever truſted her?

Higham. Yes, my Lord.

Q. Where do you live?

Higham. I rent a Houſe in *Chiſwell-Street* of 12 l. a Year, oppoſite the *Saſh and Riſing-Sun.*

Q. (*to Margaret Fiſher*) What do you know of the Priſoner at the Bar?

Fiſher. Nothing but what is very honourable. I take in Gentlemen's Linnen to waſh. I have truſted her in my Place often, and I know nothing to the contrary of her being a very honeſt Woman in all Reſpects.

Q. Where do you live?

Fiſher. In *Whitecroſs-Street.*

Q. (*to Walter Buckling*) What do you know?

Buckling. Pleaſe you my Lord, I have known the Priſoner theſe five or ſix Years. I have truſted her in my Houſe, and I never ſaw any Thing againſt her.

Q. What Character does ſhe bear in the Neighbourhood.

Buckling. She liv'd within ten Doors of me.

Q. What Buſineſs does ſhe follow?

Buckling. Buying of Cloathes, and China to ſell and change, and Things of that Kind.

William Garret. I am Conſtable of *Alderſgate-Ward.*

Q. Do you remember the Time that the Priſoner was brought into the Watch-Houſe?

Garret. *Sunday* Night about Five o'Clock.

Q. What was the Priſoner charg'd with?

Garret. She was charg'd with picking the Pocket of one *Rachel North.*

Q. Do you remember whether the Priſoner at the Bar was ſearch'd?

Garret. Yes, her Pockets were ſearch'd, and ſhe would have ſuffer'd herſelf to be ſtripp'd.

Q. What was in her Pocket?

Garret. A Sixpence and a few Halfpence. The other Woman has as bad a Character as ſhe. One charg'd the other to be a Sodomite. This Proſecutor and Defendant were in *Cheapſide* all the Evening.

Q. Did it appear to you by any Thing the Proſecutor ſaid, that ſhe was coming from the other End of the Town. Did ſhe confeſs ſhe had been with her in the Evening?

Garret. She ſtood talking with her in *Cheapſide*, that was all ſhe confeſs'd.

Q. You ſaid juſt now, you found they had been together all the Evening.

Garret. I enquir'd how they came to be brought down to me. I ſaid, was there not a Watch in *Cheapſide* to charge this Woman with. She ſaid, they were beating the Round.

Q. You ſay the Priſoner was ſearch'd at the Watch-Houſe.

Garret. Yes, ſhe and the little one; and I found about the value of 3 s. and ſome Half-pence; but not a Half Crown

Q. (*to the Watchman*) What is your Name?

Watchman. *George Maſon.*

Q. You carry'd her to the Watch-Houſe, was ſhe ſearch'd in the Watch-Houſe?

Maſon. I cannot ſay whether ſhe was or not. I ſaw 6 d. that dropp'd out of her Pocket.

Q. Was

Q. Was there no Search at all? was her Companion ſearch'd?

Maſon. No, my Lord, ſhe was not.

Court. The Conſtable ſays ſhe was; that he took Money out of both Pockets himſelf.

Q. Was there any Diſcourſe between the Priſoner and her?

Maſon. The Women came down talking together; I heard their Diſcourſe, but could not well tell what they ſaid: But the Proſecutor ſaid, I charge you with this Woman for picking my Pocket of two Half-Crowns. The Priſoner did ſay, that ſhe would rather give any thing than go to the *Compter.*

Q. (*to the Priſoner.*) Have you any thing more to ſay?

Priſoner. I have nothing more to ſay, than that I had no more Money about me. Acquitted.

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116. **Henry Robinſon** was indicted for ſtealing out of the Dwelling-Houſe of *William Baſſon* 10 Ounces and a half of Plate, *January* 30.

Court, (*to William Baſſon.*) Give an Account of what you know of the Priſoner at the Bar.

Baſſon. My Lord, he brought to my Houſe, on the 30th of *January*, 140 Ounces of Gold Plate, or Silver gilt Plate; out of the Parcel he took 10 Ounces and a half. I receiv'd the Whole in Cuſtody, and I never perceiv'd any was miſſing 'till laſt *Saturday*, when I ſent to the Perſon that employs me; he ſaid we had no ſuch Parcel, it wanted 10 Ounces and a half. The Priſoner had alter'd the Paper and forg'd another Paper, and ſo made it 10 Ounces and a half leſs. The Gentleman told him, this is not the Paper, this is not my Hand, this is your own Hand.

Court. But you ſay the Priſoner at the Bar took 10 Ounces and a half back.

Baſſon. Yes, my Lord, by his own Confeſſion he ſold it at a Silverſmith's in *Whitechapel* at 5 s. 5 d. an Ounce.

Court. You ſay he carry'd it to a Perſon in *Whitechapel*, and there ſold it.

Baſſon. Yes, my Lord.

Q. (*to the Priſoner.*) Have you any Queſtion to aſk? Your Maſter ſays you was employ'd to bring to him 140 Ounces of Silver, and you took ten Ounces and a half of it; which he ſays you have confeſs'd.

Priſoner. Pleaſe you, my Lord, I was very much in Liquor at that Time.

Q. (*to Baſſon*) The Priſoner ſays he was very much in Liquor at that Time.

Baſſon. Not at all my Lord.

Q. (*to Joſeph Stephens*) What have you to ſay againſt the Priſoner?

Stephens. The third of *January* laſt, the Priſoner came to my Shop and offer'd to ſell ſome Gilt Plate, what we call *Waſte.* I aſk'd him how he came by it. He ſaid it was his own, he was a Maſter Orrice-Weaver, and he kept ſeveral Men under him. Don't ſome of the Maſter's employ you? Yes, he ſaid. What is the Reaſon you don't carry this back again? My Maſter won't give me ſo much by 6 d. an Ounce as I can ſell it to a Shopkeeper. I aſk'd him where he liv'd and where his Maſter liv'd. I gave him 5 s. 5 d. an Ounce for the Silver.

Q. It was gilt Plate, was it not?

Stevens. Yes, gilt Plate, pleaſe you, my Lord.

Q. (*to Baſſon.*) How was the Plate when brought to your Houſe?

Baſſon. It was cut in a thouſand Bits. It was upon Quills at firſt, when he took it away. The Length of it might be a thouſand Yards, but he cut it off in Bits.

Q. What was the Uſe of that Plate?

Baſſon. To make Lace.

Q. It was brought to your Houſe in Plate.

Baſſon. In Wire, my Lord. Our Trade is to put it upon Silk.

Q. (*to the Priſoner*) Do you aſk Mr. *Stephens* any Queſtions;

Priſoner. My Lord, I know nothing.

James Beſt. My Lord, the Priſoner at the Bar confeſs'd to me that he had taken 10 ½ Ounces of Gold Plate, and ſold it to a Silverſmith in *Whitechapel.* Mr. *Baſſon* gave me three Guineas in order to redeem it again.

Q. When did he make this Confeſſion to you?

Beſt. I think the laſt Week at Mr. *Baſſon*'s Houſe.

Q. (*to Baſſon*) This was Plate wrought up in this Manner for you. I ſuppoſe the Priſoner at the Bar brought it home.

Baſſon. Yes. He has been my Servant four or five Years, but a great Villain to me.

Q. (*to the Priſoner*) Have you any Thing to ſay in your Defence?

The Priſoner had little to ſay in his own Defence.

Guilty 39 s.

*** The great Length of many extraordinary Trials this Seſſions makes it abſolutely neceſſary to publiſh them in two Numbers, the latter of which will be publiſh'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 26th, and THURSDAY the 27th of *February*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Third SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER III. PART II.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

[Price Four-pence.]

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

117, 118. ELIZABETH Goodſenſe and Mary Delforce were indicted for ſtealing a quart Pot, value 18 d. and one Pewter Pot, value 6d. the Property of *Charles Wooodward*.

Q. (*to Woodward*) What have you to ſay againſt the firſt, *Elizabeth Goodſenſe*, then *Mary Delforce*? What, did you loſe any Pots?

Woodward. I have abundance of Pots. But theſe were loſt the 30th of laſt Month.

Q. What did you loſe then?

Woodward. A quart Pot and a pint Pot.

Q. Any Thing elſe? Did you loſe a penny Pewter Pot too.

Woodward. Yes.

Q. How came you to ſuppoſe the Priſoner at the Bar, *Goodſenſe*, took it?

Woodward. Becauſe they came to my Houſe, and upon falling out, they made a Confeſſion.

Q. When was this Confeſſion made?

Woodward. I think on the 30th of *January*.

Q. Which is *Goodſenſe*?

Woodward. The little one. *Delforce* is the Mother of her.

Q. What did the Mother confeſs?

Woodward. I had been out in the Evening, and when I came home, I found the two Priſoners accuſing one another: Upon that I had a Suſpicion of them and carry'd them before the Juſtice.

Q. What do you know of the Confeſſion made before the Juſtice, was it taken in Writing?

Woodward. Yes.

Q. Have you got it here;

Woodward. No.

Q. (*to Rebecca Robinſon*) What have you to ſay againſt the Priſoner, *Goodſenſe*?

Robinſon. The Mother, this *Delforce*, wanted me go with her to the Church-Warden, to get her little Girl into the Hoſpital. *Delforce* brought *Elizabeth Goodſenſe*, her Daughter, to my Houſe; as ſoon as ever ſhe came in, ſhe ſaid, Huſſey, where is the Pot I put out for the Servant to take. I put it out to the Door, and coming out again the Pot was gone.

Q. What did the Girl ſay upon being charg'd with taking the Pot?

Robinſon. Said, ſhe knew nothing of it.

Q. How did her Grandmother treat her all this Time?

Robinſon. The Grandmother ſaid, ſhe was poſitive none had been there but her. And ſaid, if *Goodſenſe* would not own where the Pot was, ſhe would make Mr. *Woodward* ſend her to Jail. They told her ſhe ſhould not be hurt if ſhe would tell the Truth. But at laſt ſhe ſaid, ſhe knew the Girl that had took it away. Then they went to enquire after this Girl. She mention'd the Girl that was along with her at taking it away. The Girl that ſhe ſaid had taken it away, had not ſeen her that Day. I heard the little Girl, *Goodſenſe*, ſay, the Perſon's Name was *Hull*, that bought the Pot.

Q. Who ſold it?

Robinſon. She ſold it herſelf.

Q. Did ſhe ſay that ſhe took it?

Robinſon. She told her Grandmother, that ſhe took it from the Entry of the Door of her Grandmother's Paſſage.

Q. What Age is the Girl?

Robinſon. I think her Mother ſays ſhe is 15 To-morrow.

Q. Have you any Thing more to ſay?

Robinſon.

Robinſon. When I examin'd her, the Mother, *Delforce*, beat her till ſhe was in a Gore of Blood.

Q. What is the Mother committed for?

Robinſon. Why they ſaid, the Mother was with the Girl when they took the Money for the Pot.

Q. How is that prov'd?

Robinſon. It does not at all appear.

Q. Have you any Thing more to ſay?

Robinſon. The Mother knew nothing of it.

It appear'd to the Court that the Mother had acted a commendable inſtead of a criminal Part. And the Girl being ſo young, and the Confeſſion ſeeming to be extorted from her, they were both acquitted.

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119. **John Poſey** was indicted for ſtealing three Yards of black Worſted Damaſk, out of the Shop of *Anne Holmes*.

Q. (*to Holmes*) Did you loſe at any Time any Damaſk: And when?

Holmes. Yeſterday was a Week, my Lord.

Q. How much did you loſe?

Holmes. About Two Yards and a half.

Q. How did you loſe it?

Holmes. Out of my Compter.

Q. Where is your Shop?

Holmes. In *Eaſt-Smithfield.*

Q. How came you to ſuppoſe the Priſoner at the Bar took it?

Holmes. My Lord, one of my Servants catch'd him.

Ruth ——— I ſaw the Priſoner put it into his Boſom.

Q. What did he do?

Ruth ——— I aſk'd him what he took it for, and he told me he took it out to ſee what it was.

Q. Whence did he take it?

Ruth ——— Out of the Compter.

Q. Was the Compter ſhut?

Ruth ——— Yes, my Lord.

Q. What elſe?

Ruth ——— Why he took it to make him a pair of Breeches.

Q. (*to the Priſoner*) Would you aſk the Witneſs any Queſtions?

Priſoner. I had it in my Hand upon the Compter. She came up and ſaid, what are you doing, you are about to put that up. No, ſays I, *Ruth*, I am not. Upon that I took the Stick I had there and went home. The Maid ſent for me at Night. I did not know what it was for, I ſaid, I would go. I have been up and down there theſe 20 Years. They never found I had any Thing in the World, nor wrong'd them of a Farthing.

Q. Have you any Body to ſpeak to your Character?

Holmes. I have known this Man 22 Years.

Q. Pray, except in this particular Fact, what Character does he bear? Did you ever hear that he had been guilty of any Thing of this Sort.

Holmes. I have entruſted him with 100 l. worth of Things.

Q. Had you any Reaſon to ſuſpect his taking any other of your Goods?

Holmes. No. my Lord. Acquitted.

120, 121. **Mary Dawſon** and **Mary Goodman** were indicted for ſtealing two pair of Stockings, value 4 s. the Property of *George Pearſon*, on the 22d of *February*.

Pearſon. I loſt a pair of Stockings about Two o'Clock, the 22d of *February*, from my Shop in *Chiſwell-Street.*

Q. What have you to ſay againſt either of the Priſoners?

Pearſon. Pleaſe you, my Lord, two Women came to my Shop in order to buy Stockings, as they pretended.

Q. Did they come together?

Pearſon. Yes.

Q. What then?

Pearſon. They cheapen'd ſome Stockings. They wanted ſome green Stockings with red Clocks. They told me they wanted ſomething more ordinary. My Servant brought ſome, but they would not give ſo much for them; A Perſon had been there before and gave but ſo much. My Wife, as they ſeem'd to be poor Girls, deſir'd they might have them. The little Girl would not give ſo much as 22 d. for them, which was their own Price. I bid them get them gone, they did not come to buy. A Neighbour came to me, and ſaid, pleaſe to examine your Stockings, whether you have not loſt any. There were two Dozen upon the Compter. I examin'd the Stockings, and there were two pair gone.

Q. How long was this after the Women were gone?

Pearſon. About a Minute. Says this Man that ſtands here, if we go out, I believe we ſhall overtake them. When I overtook I laid hold of them, and ſaid, go back to my Houſe: With that the beggar-Woman took one of the Stockings and threw it over ſome Palliſades. So then I brought them to

my

my Houſe. Preſently after this came a Neighbour of mine and brought the other Stocking, that they had thrown within the Palliſades.

Q. After this, what did you do farther?

Pearſon. Pleaſe you my Lord, I brought them to my Houſe, and we thought it proper to have an Officer. They call'd me Rogue, and the like. Upon this we had them before a Juſtice.

Q. Did they deny it? As to theſe Stockings produced, theſe are odd Stockings; were they upon your Compter at that Time?

Pearſon. Yes, pleaſe you my Lord, in Pairs, in 24 Pairs.

Q. Can you recollect that particular Stocking you ſaw the little one throw away, are you ſure it was one of them?

Pearſon. I did not take it off the Palliſades. This Man, the other Witneſs, took it off.

Q. Have you any Ting more to ſay?

Pearſon. I have nothing more to ſay.

Q. (to the Priſoners) Will you either of you aſk the Gentleman any Queſtions. He ſpeaks more particularly to you, that he ſaw you, *Dawſon*, throw the Stocking upon the Iron Palliſades.

Q. (to Moſes Price) Do you know of the Stocking being thrown upon the Iron Spike; which of them did you ſee throw it?

Price. *Mary Dawſon*, the Priſoner.

Q. Who did you deliver this Stocking to?

Price. I kept it 'till the Officer came, and we went before the Juſtice.

Q. (to Dawſon, the Priſoner) Would you aſk him any Queſtions? He ſwears he ſaw you throw one Stocking upon ſome Iron Rails, that he took it off and carry'd it to the Proſecutor afterwards, and deliver'd it to the Conſtable: And it is now in Court, and the Proſecutor ſwears it is his.

Michael Watkins. I keep the *Black-Raven* in *Chiſwell-Street*. I ſaw my Neighbour go after the Priſoners, and as he purſu'd them one of them clapp'd her Hand to her Boſom; one Stocking hung on the Rails, and the other by. They were taken up by *Martha Willis*.

Q. (to the Priſoner) Would you aſk him any Queſtions? He ſays, he ſaw you pull two Stockings out of your Breaſt.

Mary ——— I was ſitting at the Stall, and the two Priſoners and two more came by where I ſit. The other two ſat down oppoſite, in the Street, while the Priſoners went in to cheapen ſomething. And when they came out again, they paſs'd by my Stall, I heard the big one ſay to this Purpoſe, D——mn my Eyes, or Limbs, they are after us. I ſaw Mr. *Pearſon* directly come after them, and upon that, ſhe pull'd out of her Boſom two Stockings, ſhe threw one of them over a Rail, and that was afterwards taken up by a Boy, a little dirty, and carry'd back. When Mr. *Pearſon* came up, he clapp'd his Hand on their Shoulders and carried them back to his Shop.

Q. (to the Priſoners) What have you to ſay for yourſelves?

Priſoners. Sir, we went into this Gentleman's Shop to buy a pair of green Stockings with red Clocks; he told us he had none under Half a Crown a pair, but 2 s. 2 d. was the loweſt Price. With that we came away, we had not gone above 20 Yards, but he came to us and ſaid, we muſt go to his Shop, and have us before the Juſtice. He ſaid, he had hang'd one, and he would do his Endeavour to hang us. When he follow'd us, he clapp'd me *(Dawſon)* in particular on the Shoulder, with two pair of red Stockings; and ſaid he had loſt two pair of ſuch.

Q. (to ——— *Eaton.* How long have you known *Mary Goodman?*

Eaton. All her Lifetime. Her Father was a Maſter Drover, and I never heard any Thing againſt her.

Q. (to Suſannah Diney) What do you know of the Priſoners?

Diſon. I have known *Mary Goodman* for 16 Years, and never heard any Ill of her.

Q. (to Elizabeth Weſt) What do you know of *Goodman?*

Weſt. I know her to be very honeſt: She behav'd very well as a Servant, with me.

Q. In what Way did ſhe live a Servant with you?

Weſt. In making up Linnen.

Q. (to Mary Hedenbough) How long have you known *Goodman*, the Priſoner at the Bar?

Hedenbough. Fourteen Years. I never knew any Harm by her. She always work'd very hard.

Q. (to Dorothy Burleigh) How long have you known her?

Burleigh. From her Birth.

Q. What's her Character?

Burleigh. I never knew any Thing amiſs of her, 'till ſhe was drawn away within a Fortnight. She was a good ſober Girl, 'till drawn away by lewd Company.

Q. (to the Priſoner Dawſon) Have you any Witneſſes?

Dawſon. I have no Friend at all. *Dawſon* guilty 10 d. *Mary Goodman* acquitted.

122. **James Raven** of the Pariſh of *Stoke-Newington*, not having the Fear of God before his Eyes, on the 31ſt of *July*, felonioufly committed a Rape on the Body of *Mary Iriſh*.

Court. (to Iriſh) I find the Priſoner at the Bar is charg'd with committing a Rape on your Body.

Iriſh. I liv'd at *Kingſland*, at one Mr. *Butter's*. On the 31ſt of *July* I was going to my Maſter's Houſe. Going on an Errand, this young Man met me, and two more. Two held my Leggs, the other ſtopp'd my Mouth with his Hand. I was going for my Maſter's Cows when this young Man met me; I got from him, but he follow'd me and threw me into the Ditch.

Q. How many in Company were there?

Iriſh. Four. Two held my Legs, one ſtopp'd my Mouth.

Q. What did the Priſoner do to you?

Iriſh. The young Man the Priſoner lay with me.

Court. I find you are a marry'd Woman, you underſtand what is meant by lying with you. Had he Knowledge of your Body, as your Huſband has had?

Iriſh. Yes.

Q. Had he this Knowledge of you whilſt theſe two People held your Legs and the other ſtopp'd your Mouth?

Iriſh. Yes.

Court. This you ſay was on the 31ſt of *July* laſt.

Iriſh. Yes.

Q. How happen'd this Proſecution was not commenced before now?

Iriſh. I could not find the Perſon out. When I went home to my Maſter and Miſtreſs, I complain'd ſadly that I had been us'd at this Rate.

Court. You ſay you complain'd to your Maſter and Miſtreſs at the ſame Time, the ſame Evening.

Iriſh. Yes.

Q. What Time of the Day was this?

Iriſh. At Eleven o'Clock in the Morning.

Q. Where was this?

Iriſh. By the Highway between *Kingſland* and *Newington*, the Corner of the Fields?

Court. And was this about Eleven o'Clock in the Morning.

Iriſh. Yes, Sir, Eleven o'Clock in the Morning.

Court. Look upon the Priſoner at the Bar, was he one of the Perſons?

Iriſh. That was the young Man that lay with me.

Q. Was there any Perſon near that knew any Thing of it?

Iriſh. There was a young Woman in the Field, pretty near, that ſpoke to me about it three Weeks after.

Court. You ſay this Woman in the Field told you of it three Weeks after; when did you come to know that the Priſoner at the Bar was concern'd in it?

Iriſh. She told me ſhe knew them all. This was Weeks after the Fact.

Q. When did you take up the Priſoner at the Bar?

Iriſh. Lately.

Q. How happen'd it you did not take him up before?

Iriſh. I had never a Friend to ſtir in it, to take him up.

Q. Where did you find the Priſoner?

Iriſh. At his own Houſe in *Old-Street*.

Q. This Woman told you three Weeks after the Fact was committed, that he liv'd with his Father, and that his Father was a Houſekeeper in *Old-Street*. This Perſon that told you the Priſoner at the Bar was one of the Perſons, could ſhe tell you who the others were?

Iriſh. She only knew the Priſoner at the Bar.

Q. And this Relation you had three Weeks after the Fact.

Iriſh. Yes.

Q. Has your Father never been about getting ſome Money of this Man to make it up?

Iriſh. Not as I know of.

Q. What Highway was this; is it not a publick Road?

Iriſh. Yes, Sir.

Q. And if this Woman in the Field could ſee this Fact; if you had ſcream'd out, all theſe Peaſe-pickers muſt have heard you. What, none of theſe come to your Aſſiſtance? For theſe Peaſe-pickers were in Sight as well as this Woman. Did you tell any other Neighbour, or any other Perſon beſides your Maſter and Miſtreſs, of it? Were you got with Child by this Time?

Iriſh. Yes, Sir.

Q. (to Anne Price) What do you know of this Matter?

Price. I was in the Peaſe-Field, I heard Murder cry'd out. It was of a *Tueſday*, in the Peaſe Seaſon. And coming along, who ſhould we ſee but young Raven run over the Field. And he went to hurl Stones and Dirt at us. There came a Fellow up in a red Waiſtcoate, and ſwore, I'll have your Legs open. I ſaw nothing any farther.

Q. Where is this Peaſe-Field?

Price. In the further Side of the Road.

Q. Where were theſe People?

Price. They were running out of the Road.

Q. Therefore you ſaw him firſt in the Road, that he run over the Fields, the other Side of the Road: ſo that the firſt Sight you had of him was in the Road that parts theſe two Fields. When did you ſee that Woman afterwards?

Price. The next Day, and her Miſtreſs was forced to put her to Bed.

Q. You ſaw him running, and this you told her the very next Day.

Price. Yes.

Q. *(to Mary Edwards)* What have you to ſay of the Priſoner at the Bar, touching this Matter?

Edwards. Pleaſe you my Lord, we were in the Peaſe-Field, and heard Murder cry'd. With that I went out of the Field, I ſaw the Man in the Ditch, and could ſee nothing but the Woman's Cap and Sleeve of her Gown.

Q. Did you ſee the Priſoner at the Bar?

Edwards. Yes, pleaſe you my Lord. In ſome Time after they run over the Fields; and one of them ſaid, the Bitch was not willing, but I help'd to hold her Legs.

Q. Did you ſee the Proſecutor that Night?

Edwards. I can't ſay I ever ſaw her ſince that Time, before Yeſterday.

Q. Then ſhe was gone before the Men came away.

Edwards. She was gone before we got to the Side of the Hedge.

Q. (*to the Priſoner*) Now is your Time for making your Defence.

Priſoner. Pleaſe you my Lord, I was not there that Day this Thing happen'd: Nor ever ſaw the Woman in the whole Courſe of my Life, 'till I was taken up.

Q. (*to* ——— *Turner*) Do you know the Priſoner at the Bar? Do you know any Thing of the Proſecutor's Father-in-Law offering to make it up?

Turner. That he had a Warrant to take up Mr. *Raven*'s Son. He ſaid, the Matter would be made up on pretty eaſy Terms. The Priſoner's Father and I took him into a Room. We put it to him, have you been guilty of ſuch a Thing? He anſwer'd, no, if he was to be hang'd at the Door.

And after the Proſecutor's Father came to my Houſe, and aſk'd what we intended to do. That Warrant we took out is not ſtrong enough, but the ſecond is. The Father did ſay he tore the firſt Warrant. I told the Juſtice it was not tore.

Q. I aſk you whether from *July* to this Time, this young Fellow abſconded from his Buſineſs.

Tuurner. No, not at all.

Q. Now I aſk you what Character has the young Man borne?

Turner. A very good one. I never knew or ſaw any ſuch Thing of him.

Q. (*to Raven*) Do you know the Priſoner at the Bar?

Raven. Yes, Sir. I am his Uncle. He has work'd with me backwards and forwards for ſome Years, and quite as honeſt a Lad as any in *England.*

Q. You think he is a ſober, honeſt Lad, that would not be guilty with ſuch a Woman.

Raven. No.

Q. Now I would aſk you, from *July* to this Time has he ever abſconded?

Raven. No, never; but carry'd out Beer conſtantly.

Samuel Gould. I never heard any ill Word out of his Mouth, ever ſince he has come to my Houſe, he has been publick in Buſineſs ever ſince this Fact is ſaid to have been committed.

Q. Did you take him to be a ſober Lad, or a profligate Lad, that would go to raviſh a Woman?

Q. (*to John Buoy*) How long have you known the Priſoner?

Buoy. I have known him for ſome Years.

Q. Do you think he is a Lad that would do ſuch a Thing?

Buoy. No, he has not Impudence enough for that. He is quite a modeſt, ſober Lad.

Q. (*to* ——— *Samſon*) How long have you known the Priſoner?

Samſon. I have known him from a Child.

Q. What Character has he bore?

Samſon. A very modeſt Character. I never ſaw him offer to kiſs a Girl in my Life.

Q. You think he would not be guilty of ſuch an enormous Crime.

Samſon. No, nothing like it. He has been at my Houſe twice a Week. And I think it wrong in the Priſoner's Friends that they did not bring more People to his Character: If they would, they might have brought half the Pariſh. Acquitted.

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123. **Thomas Camel,** indicted for ſtealing out of the Dwelling-houſe of *Patrick Byrne*, two Guineas and Half in Gold, *&c.*

[*To Patrick Byrne.*] Give an Account of what you know the Priſoner at the Bar is charg'd with.

Patrick Byrne. Between Four and Five o'Clock on the 20th of *February*, the Priſoner robb'd me of 4 l. 14 s.

Q. How do you prove it?

Byrne. He did it by opening a Box.

Q. What Pieces were they?

Byrne.

Byrne. Two Guineas and a Half in Gold, and 40 s. in Silver.

Q. You ſay he took this Money out of your Houſe, How do you prove he took it?

Byrne. By leaving his Hat on the Pantiles, under the Window of the Chamber we lie in.

Court. Then that Hat gave you a Suſpicion?

Byrne. Yes.

Q. Where did you take him up?

Byrne. At the *Coach and Horſes* at *Whitechapel-Bars.*

Q. When you had taken him up, what paſs'd then?

Byrne. When we had taken him, he own'd that he had 4 l. 14 s. that Half a Crown he had ſpent. (The Money was produced in Court, in a Box that he had taken it away in.)

Q. Then that Money he own'd?

Byrne. Yes, Sir.

Q. (to the Priſoner.) Would you aſk the Proſecutor any Queſtion? They ſay they found the Money upon you, and you own'd you had taken it out of the Proſecutor's Houſe.

Priſoner. I did not own that I took the Money away.

Q. (to William Bennet.) What do you ſay?

Bennet. Pleaſe you, my Lord, I was call'd up by Mr. *Byrne* between Four and Five o'Clock; I went to aſſiſt him. He ſearch'd the Houſe, ſuſpecting there might be more than this one that run away. Being dark, and raining very hard, he did not ſee who it was. In ſearching about the Houſe, there lay Linnen out of the Box, in one Place and another, and a large Silver Spoon, *&c.* With that my Man and another Man went to ſearch the Houſe.

Q. How came you to ſuſpect the Priſoner at the Bar?

Bennet. In looking out at the Window we ſaw his Hat, taking it up with a Pair of Tongs, it was half full of Water. Mrs. *Byrne* ſaid, Here is the Thief's Hat. Mr. *Byrne* ſaid, it was *Tom*'s Hat; for he had chang'd, on *Shrove-Tueſday*, with a young Man at his Houſe, who was then gone to Sea. Mr. *Byrne* ſaid to me, Mr. *Bennet*, Will you go and drink a Draught of Purl at the *Coach and Horſes?* When we went there the Priſoner was ſitting without his Hat, and his Wig as wet as Dung. Then we charg'd him with the Money, and told him, it would be better for him to deliver the Money up again; which he did, throwing the Money down again, only the Half-Crown he had ſpent.

Q. (to Mr. Byrne.) How do you apprehend the Priſoner got into your Houſe?

Byrne. Out of our Skittle-Ground he got in at the Window.

John Lobb. Pleaſe you, my Lord, this Mr. *Bennet* call'd at my Window and ſaid, I beg you would come down, Mr. *Byrne*'s Houſe is ſtripp'd. When I came in they ſhew'd me up into the Chamber, where the Cloaths lay about the Room. I and another ſurrounded the Houſe for fear the Thief ſhould get away, and not be catch'd. By the Hat we had a Suſpicion of the Priſoner; otherwiſe none would have had a Suſpicion of him, he behaving ſo well. I went to the Headborough, and he refus'd coming. We ſurrounded the Houſe, and I ſaid, We had better go to Juſtice *Quarril.* I went with Mr. *Byrne* to drink a Pint of Purl at the *Coach and Horſes*; there the Priſoner at the Bar was without his Hat. Mr. *Bennet* ſaid, We have got the Priſoner. We told him if he would deliver the Money up, we would be favourable to him. He ſaid he had ſpent Half a Crown of it, and he laid down what remain'd.

Q. (to Mary Byrne.) Can you ſay any Thing more than your Huſband has ſaid?

Mary Byrne. About Four o'Clock I heard a Noiſe in the Room; my Huſband ſaid he believ'd it was Rats; then we thought it might be our Dog: Says my Huſband, The Rats may be nibbling at your Boxes; upon that I ſtruck a Light, and while I was blowing the Tinder to light a Match, ſomebody run out of the Room; I ſcream'd out, and my Surprize was ſo great that I could not light the Candle: But we ſoon got up, and found the Door open, which I ſuppoſe he open'd to run out. When I came to ſearch I found all my Linnen ſafe, but the Money that was in that Box. There were ſeveral particular Pieces: Two or three Pair of Mourning Buckles in that Box he took away; this Lid I found in the Chimney-Corner. To the beſt of my Remembrance, there were 18 s. in another Band-Box. In his Hurry, in taking theſe 17 or 18 s. he took up the Necklace with it. (The Necklace and Money were produced in Court.) He is a young Man I ſhould have ſuſpected the leaſt of any body; he was a young Man that behav'd very well. The Ruin of this young Man was his keeping Company with a Whore. He ſaid lately, Mrs. *Byrne*, I wiſh I had known your Houſe ſome Months ſooner.

Q. (to the Priſoner.) You have heard what was ſaid againſt you.

Priſoner. I deny that I ſaid I had the Money; but I ſaid, if I have any Money you ſhall have it.

Q. They ſay you deliver'd back the Money, and ſaid this was all you had taken, except the Half-

Crown

Crown you had ſpent. At the ſame Time that you deliver'd up the Money they found that Necklace upon you, that Mrs. *Byrne* ſwears to be hers, and to be loſt out of her room that Night.

Q. Have you any Witneſſes to call?

The Priſoner had very little to ſay to the Purpoſe in his Defence. Guilty. **Death.**

The Proſecutors earneſtly recommended him to Mercy on Account of his former good Behaviour, and verily believing it to be the firſt Fact. Alſo the Jury recommended him to his Majeſty's Mercy.

124, 125, 126. **John Wareham, Thomas Davis,** and **Abijah Burk,** indicted for robbing *Charles Chinner* of a Hat, Value 3 s. one Peruke, Value 2 s. *&c.*

Q. To Charles Chinner. (He made Anſwers, as being a Foreigner, by an Interpreter.) Deſire him to look at the Priſoners at the Bar, and aſk him if he knows them.

Chinner, (by an Interpreter.) He ſays he never ſaw them before the Time he was robb'd, which was on the 5th of *January*, on *Sunday* Night; and that one of the Priſoners cut him with a Hanger.

Q. Which of them?

Interpreter. He with the red Waiſtcoat, *Abijah Burk.*

Q. Was his Peruke taken off?

Interpreter. Yes.

Q. How came theſe Boys to be apprehended?

Interpreter. The Subſtance of what he ſays is, That the three Priſoners met him at *Rag-Fair*; that *Abijah Burk* cut him with a Hanger, took away his Wig, and *John Wareham* his Handkerchief.

Q. Did any one put his Hand into his Pocket? Had they any other Arms beſides that Hanger?

Interpreter. They had all Cutlaſſes; there were four of them.

Lovet. Mrs. *Frank* ſent for me, and told me one of her Lodgers was robb'd in *Rag-Fair*; that the Woman would be there by and by who ſaw the Robbery committed. Upon this they got a Warrant to take up this *Abijah Burk.* They went to his Lodgings, and found him in Bed: He got out of Bed, and turn'd it up; but we turn'd it down again, and between the Bedcloaths we found the Hanger, and likewiſe the Hat; and the Proſecutor ſaid he knew it was his Hat; it was found under *Abijah Burk*'s Bed. The Hat and Hanger were produced in Court.

Q. (to Burk.) Will you aſk the Witneſs any Queſtions? He ſays that the Hanger and Hat were found under your Bed?

The Priſoner could aſk no Queſtion at all to the Purpoſe.

Elizabeth Dunbar. Upon the Night the Robbery was committed I was ſent by my Maſter on an Errand: I ſaw the Priſoner cut the *Frenchman* over the Head, and the little one put his Hand into the Proſecutor's Pocket.

Q. When was this?

Dunbar. On *Sunday* Night, the 5th Day of laſt Month.

Q. (to the Priſoners.) Would you aſk this Witneſs any Queſtion?

Priſoners. Pleaſe you, my Lord, to aſk her where ſhe was when ſhe ſaw this?

Dunbar. At the Chandler's Shop, getting ſome Butter, next Door but two to the Pork-Shop.

Priſoners. Pleaſe you, my Lord, to aſk the Proſecutor where he loſt theſe Things?

Q. (to Chinner.) Whereabouts was you robb'd in the Street?

Interpreter. Near *Rag-Fair.*

Q. (to Elizabeth Dunbar.) Was it near *Rag-Fair?*

Dunbar. Yes, I believe about thirty Yards from the Watch-houſe.

Q. Are you ſure the Priſoners at the Bar were the Perſons?

Dunbar. Yes, Sir; I could ſafely ſwear to all the Three: For that very Night two of them, *Wareham* and *Davis*, ran up Stairs, with a Hanger, to kill me.

Nathaniel Harris. By the Aſſiſtance of this *Lovet* we went to ſearch *Burk*'s Lodgings, where we found the Hat and Hanger, which Hat the Proſecutor poſitively declar'd was his.

The Priſoners could not aſk any pertinent Queſtions, only reproach'd the Proſecutor and Witneſſes.

Anne Webley. I nurſed *Burk*'s Wife with a Child for three Weeks, and the while two Girls picking up the Proſecutor, brought him into my Room: With that he call'd me his Mother; I your Mother! I am ſure I don't know you! Then, ſays he, will you fetch me a couple of Pots of Beer; and fetching the Beer they aſk'd me whether I could get ſome Meat. Upon that I went to the Cook's for Meat, *&c.*

Q. What Countryman is the Proſecutor? Had you all this Converſation with him? Can you talk *French*, or does he talk *Engliſh?*

Burk anſwer'd. My Lord, he ſpoke very good *Engliſh* before the Juſtice, and when he took us.

But

But this laſt Witneſs, *Anne Webley*, pretty much overſhot the Time.

Court. If you cannot ſpeak nearer to the Time, and more to the Purpoſe, I'll hear no more of you.

James Powel. About ſix Weeks ago I was at *Burk*'s Lodgings, and *Burk*'s Lodgings were not ſearch'd 'till the 7th of *January*.

The Court obſerv'd that *Webley* ſaid it was a Fortnight before, or the laſt Seſſions: Now the laſt Seſſions were on the 17th of *January*. All Guilty of the Felony and Robbery.

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127. **Elizabeth Williams** was indicted for ſtealing a Parcel of Plate out of the Houſe of *Mary Abel* of *St. Martin's-Lane*.

Q. (*to Mary Abel*) Did you at any Time loſe any Goods, and when?

Mary Abel. Pleaſe you, my Lord, the Priſoner at the Bar came to my Houſe the latter End of *November*.

Q. When did you loſe the Goods out of your Houſe?

Abel. The 6th of *December* following.

Q. What Goods did you loſe?

Abel. I loſt a Silver Coffee-Pot, a Silver Baſon, a Silver Boat, two Silver Spoons, and one Pair of Silver Tongs.

Court. You loſt them out of this Houſe.

Abel. Yes.

Q. Upon loſing them, how came you to ſuſpect the Priſoner?

Abel. Pleaſe you, my Lord, the Priſoner came to my Houſe in the latter End of *November:* I keep a Tavern in St. *Martin's Lane*. She came with a Gentleman to my Houſe; they had a Pot of Coffee inſtead of Wine; ſo I ſent all theſe Things in. I had known the Perſon that was with her for 30 Years; and the Things came out again. On *December* the 6th the Priſoner afterwards came again.

Q. What Time of the Day or Night?

Abel. About Four o'Clock in the Afternoon: Says ſhe, do you remember me; I anſwer'd, Yes. Pray, ſays the Priſoner, make me a Pot of Coffee: I love Coffee as well as the Gentleman, and the Gentleman is coming again to meet me: Accordingly, I ſent the Things in, expecting this Gentleman to come. Upon that I ſent the Coffee in, and ſome Time after my Man went in to ſee if ſhe had done with the Coffee: She ſaid the Gentleman was not come, and ſhe would keep it hot. She call'd my Man to go for this Gentleman; and after ſhe had ſent him out, ſhe call'd for the Maid and ſent her out on an Errand too. I had been lame for ſome Time, and obſerving that, ſhe took her Opportunity, and immediately went out with all this Plate.

Q. Where is this Room?

Abel. 'Tis below Stairs; it was a publick Drinking-Room.

Q. You do not mean publick for more Company than one?

Abel. No, my Lord.

Q. Did you ſee her go away?

Abel. No, my Lord.

Q. Did ſhe pay for her Coffee?

Abel. No, my Lord; ſhe went away without being ſeen.

Q. How long after ſhe went did you miſs the Things?

Abel. Immediately, my Lord. My Servant, who went out on her Errand, came to give her Anſwer. When ſhe went up into the Room, ſhe ſaid, Madam, the Plate is gone. Afterwards, I immediately ſent to my Friend, and I ſent and advertis'd that very Night. Upon that my Friend came and was vaſtly ſurpris'd. However, he gave me Directions to ſeveral Places, but I could not find her. At laſt, by advertiſing, ſhe was taken.

Q. Where was ſhe carry'd?

Abel. To *Bridewell*.

Q. Where and when did you ſee her?

Abel. I ſaw her in *Bridewell*.

Q. Did you accuſe her with theſe Things?

Abel. Yes, my Lord: And ſhe own'd them all; I have a Paper of them that ſhe ſign'd.

Q. Did ſhe own the taking theſe Things before ſhe writ the Paper, did ſhe mention the ſeveral Particulars?

Abel. Yes, my Lord: She directed me to thoſe People that have the Plate here.

Q. What are their Names?

Abel. Mr. *Gardiner*, and Mr. *Hopmaſter*.

Q. (*to the Priſoner*) Would you aſk the Proſecutor any Queſtions?

Priſoner. Pleaſe you my Lord, ſhe is an old Bawd, and has kept a bad Houſe theſe 20 Years. Did I tell you that I took every Thing from you?

Abel. All, but the Spoons and Tongs.

Q. (*to* ——— *Hopmaſter*) Whence had you theſe Things;

Hopmaſter. Mr. *Gardiner* ſold theſe three Pieces to me. A Silver Baſon, Silver Waiter and a Silver Coffee-Pot.

Q. Have you any Thing more to ſay?

Hopmaſter. I don't know the Priſoner at the Bar. Mr. *Gardiner* recommended this Woman to me, ſaid, here is ſome Silver a Gentlewoman in my Shop has to ſell. I anſwer'd, I don't know how to buy it at preſent. I hear it is fallen. So Mr. *Gardiner* ſaid, it was 5 s. 3 d an Ounce, he had enquir'd; ſo I gave him that Money for it.

Q. Look at the Priſoner at the Bar; was ſhe preſent?

Hopmaſter. No, my Lord, ſhe was not. I know nothing of the Priſoner. I bought theſe Things of Mr. *Gardiner.* On a *Saturday* Evening, juſt as I was going out, the Priſoner at the Bar came, and ſaid, did not you buy ſome Silver belonging to me, of Mr. *Gardiner.* I have a Lawyer I employ, I muſt give him ſome Money this Day. The Coffee-Pot I bought of the Priſoner, thro' Mr *Gardiner*'s Recommendation. Mr. *Gardiner* call'd at my Houſe afterwards, and aſk'd if I had not bought the Coffee-Pot.

Gardiner. Pleaſe you my Lord, the Priſoner at the Bar came to my Shop and aſk'd for a Gentleman I knew nothing of. After ſhe had ſat ſome Time in the Shop, ſhe ſaid, ſhe was a very unhappy Lady. That ſhe was an Heireſs of 500 l. a Year, and that a Rogue was endeavouring to get her Eſtate. I ſaid, Madam, if you pleaſe to come in, it is very cold. By the Subtlety of the Woman, ſhe wrung Compaſſion from me and my Wife. Said, ſhe lodg'd at *Kenſington.* Next Day, ſhe came with *Kenſington*-Stage. She aſk'd me to lend her Three-Pence. She laid a Shilling upon the Dreſſer, and gave Three-Pence to the Coachman. She came and turn'd herſelf round the Shop, and ſaid, ſhe wanted a pair of Sciſſars, which came to Nine-Pence, which, and the Three-Pence, made the Shilling, and ſaid, I told you I am a very unhappy Lady. Do you know how Plate ſells an Ounce. She pull'd out thoſe Things that were before mention'd and deſir'd me to ſell them for her. ſaid I, Madam, how can you repoſe ſuch a Confidence in me? Do you know the Weight of them. No, I don't. Oh! Says ſhe, I have had ſuch a Character of you, I could truſt you with 5000 l. And accordingly I went with the Plate, and ſold it to Mr. *Hopmaſter.* She told me ſhe was a Relation of Sir *Watkin Williams*'s. I went to enquire of his Gentleman, who had liv'd with him many Years, and who knew the Family exceeding well, whether there was ſuch a one as Counſellor *Williams*, of *Herefordſhire*, who had left an only Daughter: But he knew of no ſuch Perſon. She ſaid ſhe had an immenſe deal of Plate to ſell, in order to defray her Expences in Law. Come ſays ſhe, I love to be grateful. Madam, you ſay you are neceſſitous, I don't deſire you to lay out any Thing with me. She look'd in my Glaſs, and fix'd her Eyes upon a Ring, and aſk'd me the Price of it. Madam, I ſaid, it coſt me 18 s. and I never will ſell it under. Says ſhe, there is a Gentleman, one Mr. *Roſs*, a Linnendraper, I purpoſe to buy this Ring, and make a Preſent of it to him. So ſhe bought the Ring and away ſhe went, and din'd with me the next Day. This Woman look'd reputable enough. On purpoſe to ſatisfy my Curioſity, to ſee if ſhe had any more Family Plate. So on *Saturday*, while I was gone out, my Couſin told her I had ſold it at Mr. *Hopmaſter*'s. So my Lord, I gave her an Invitation to come again and dine with me. And I din'd with her one *Sunday* at a reputable Diſtiller's, one Mr. *Williams*, and *Roſs* gave her a good Character, and ſaid ſhe was a Lady of Fortune. Still I could not be eaſy, I thought it was an Oddity, that Sir *Watkin*'s Butler, who had known the Family, could give no Account of her. So my Lord, on the Faſt-Day at Night, Mr. *Winſmore* came to me, and ſaid, pray don't you ſell Caſe-Knives. He was about to keep a publick Houſe, they pretended to be Huſband and Wife. The Priſoner at the Bar had told ſomebody that ſhe had lodg'd and boarded at my Houſe. After we had made an Agreement about the Knives, he wanted a Bed for his Wife. I ſaid I had a Gentlewoman that lodg'd with my Couſin, and I told the Tale. Then Mr. *Winſmore* ſaid, if you don't produce the Priſoner I will put you in *Newgate.* She has made an Elopement from *Clerkenwell.* There are five Guineas for taking her. Accordingly we call'd a Coach and we found her in Bed. Upon this ſhe was retaken and carry'd to *Clerkenwell* Priſon.

Q. Upon your ſeeing her in Cuſtody, was any Body ſent to about the Plate?

Gardiner. No, my Lord.

Q. Did you hear her make any Confeſſion about the Plate. All that you ſay is, that ſhe deliver'd that Plate to you and deſir'd you to ſell it. And you ſold it accordingly.

Gardiner. Yes, my Lord.

Q. (to the Priſoner) Would you aſk the Witneſs any Queſtions?

Priſoner. No.

Mary Thomſon. I ſerv'd the Priſoner at the Bar with this Plate.

Q. Did ſhe ſend you out upon any Occaſion?

Thomſon. Yes, my Lord. She ſent me out for a pair of Gloves. When I came in again I miſs'd all the Plate.

Q. (to

Q. (to the Priſoner) Would you aſk this Witneſs any Queſtions?

Priſoner. That Woman that owns the Plate, wanted me to come to live with her. She keeps a Bawdy-Houſe. For this Plate or any Thing that I had, ſhe ſaid ſhe would make her Man pay. She had got 20,000 l. Pleaſe you my Lord, ſhe has hang'd twenty. Guilty.

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128. **John Peter Mayaffree** ſtands indicted, for that he, on the 20th Day of *December*, was poſſeſſed of a certain Lottery Ticket, that before that Time had been made in Vertue of ſeveral Acts of Parliament, *&c.*

He ſtands indicted a ſecond Time, for uttering and vending, with an Intent to defraud Perſons unknown, *&c.*

Council for the Crown. Gentlemen, The Priſoner at the Bar has pleaded that he is not Guilty: We, who are concern'd for his Majeſty, ſhall call our Witneſſes; and if we prove to your Satisfaction, you'll pleaſe to find him Guilty.

Another Council. I am Council of the ſame Side on the Behalf of the Crown, againſt the Priſoner. The Offence, you obſerve, he ſtands now indicted for, has been in ſome Meaſure open'd by the Gentleman before me.

Gentlemen, I believe it is pretty well known to you, that great Part of the Property of the Subjects of this Kingdom is in Government Paper-Securities. In order to ſecure that Property to the Subject, it is but neceſſary the ſevereſt Penalties ſhould be inflicted upon thoſe that ſhould venture to alter thoſe Securities. With Regard to this preſent Indictment it is laid different Ways. There are Charges upon the Priſoner at the Bar, that he in Fact did forge and alter this. It is likewiſe laid, that he did vend and ſell the Ticket ſo alter'd and forg'd, as there are various Accounts in the Indictment. If we ſhall either ſhew to you that the Priſoner himſelf actually forg'd, or which is the ſame Thing, the ſame in its Conſequences, he ſold this Lottery Ticket knowing it to be counterfeit, the Offence will be the ſame. To prove that he actually forg'd this himſelf, it may be a difficult Matter, or to produce any Perſon that was preſent when he did. Gentlemen, you'll conſider, that Forgeries are Works of a very dark Nature; but really the Evidence we ſhall lay before you, will amount, in my humble Apprehenſion, to a demonſtrative Proof, that the Priſoner at the Bar was the Perſon who was actually guilty of altering this Ticket himſelf. Tho' ſuppoſing it does not come up to that, our Evidences will ſhew, that he did actually ſell this Ticket ſo alter'd, knowing it to be ſo forg'd. Gentlemen, I think in order to find the Priſoner Guilty, there will be three Things to prove to you: Firſt, That this was a forg'd, alter'd, counterfeit Ticket. This is the firſt Fact I ſhall lay before you. The next Thing, in order to bring it home to the Priſoner at the Bar, will be to ſhew you, that this Ticket ſo altered, counterfeited and forged, was ſold by him to a Perſon at *Hazard*'s Lottery-Office. The Third, that he knew it to be counterfeited and alter'd; or, which will amount to the ſame Thing, that he actually forg'd it himſelf. Gentlemen, I believe I ſhall be able to prove all theſe Things to you ſtrictly and demonſtratively. Gentlemen, the Method in which I propoſe to lay this Evidence before you, will be in the firſt Place to ſhew you, that the Ticket is in Fact an alter'd, counterfeit, not a true Ticket. In order to ſhew that, it may be neceſſary to obſerve to you the Manner of making out theſe Lottery Tickets. 'Tis directed, that there ſhall be a Book made, and that in that Book there ſhall be three Columns. I ſhall firſt mention to you the Columns, then the Reaſon. The Act of Parliament directs, that the Book ſhall be divided into three Columns, the middle Column is to be the Ticket, which is to be ſold and diſpos'd off to the Proprietor of the Lottery. The outſide is to be given to the Adventurer. The Ticket next to that goes into the Wheel, but between them there are Flouriſhes, and thoſe Flouriſhes muſt exactly agree. Further, at the End of the other Ticket there is another Flouriſh, which, when the Party comes to the Government to receive the Prize, ſuppoſing it to be a Prize, 'tis check'd with a Flouriſh remaining upon the Back; and if it does not agree with it, 'tis clear 'tis a Forgery. I don't think the Wiſdom of Man could have invented a greater Method of certain Security, than having theſe particular Flouriſhes, ſo divided by a Pair of Sciſſars. Then, Gentlemen, let us conſider, whether this Ticket deſerves the Name of a true genuine Ticket; or, whether it deſerves the Name of a counterfeit or forged Ticket. Upon the Face of the Ticket itſelf, we ſhall produce the Purport to be of Number 19165; that Purport is upon the Face of it. But Gentlemen, we ſhall ſhew to you theſe Tickets, as ſign'd by Mr. *Hans*, who is the proper Officer for ſigning Tickets. We ſhall ſhew you this Number 19105 is not the Ticket it was at the Time it was made out, but it

has

has been alter'd and counterfeited; and the Method is this; that it is not the Number 19105, but that it was a Ticket number'd 19165, ſo the Alteration that had been made in this Ticket, is by taking off the Top of the 6, the Bottom of the 6 remaining as a 0, which will reduce the Number to 19105. To ſhew you this has been ſo, we have a Book from the Office here, and by comparing this Ticket with the Book of the Office, from which it was cut, do exactly tally; the Flouriſh on this Ticket and the Flouriſh in the Lottery-Office Book do exactly tally with Number 19165. This proves that this Ticket muſt have borne Number 19165. To go further, that this could not be the original Ticket, the real Number of which was 19165; becauſe comparing it with the Check of that Number, it entirely diſagrees with it. This will plainly ſhew to you that this Ticket we now produce to you, is not the Ticket firſt deliver'd out. Gentlemen, there is likewiſe another Thing pretty plain here, that this could not be the original Ticket, becauſe the Number 19105, it ſeems, the real Ticket, bearing Date 19105, has come to the Office to be claim'd, and that Ticket does exactly tally with its proper Number.

The ſecond Part will be more particular to your Conſideration, which relates to the Priſoner at the Bar, that is, to bring home to him. The ſecond Point will be to ſhew that the Priſoner at the Bar ſold this very Ticket, now purporting to bear the Number 19,105, and which will prove to you, that he ſold the Ticket for 20 l. and it may not be improper to ſuggeſt to you the Reaſon the Perſon may have to alter the Number; 19,165 was drawn a Blank, the Number 19,105 was drawn a Prize, 20 l. If a Man by his Ingenuity, inſtead of being the Proprietor of a Blank, he was then entitled to a Prize of 20 l. We ſhall prove that the Priſoner brought this Ticket to *Hazard*'s Lottery-Office as a Prize of 20 l. But, Gentlemen, there is a Step further we muſt go, and that is, to induce you to be of Opinion, that the Priſoner at the Bar, when he ſold this Ticket, knew it not to be a real genuine Ticket; but that he either alter'd it himſelf with his own Hand, or he knew it to be alter'd by ſome other Perſon; and, Gentlemen, in Things of this Kind, as I mention'd before it, it is impoſſible to call any Perſon who was by at the Time of his forging of it. Would he call any Witneſs to ſee him perform it; nor after he had done it, would he in Prudence acquaint any Perſon that he had done it? Then how is it Perſons are ever prov'd guilty of Facts of this Kind, but from Circumſtances, if they are ſtrong, clear and plain; ſuch as will convince you that he did know? Theſe are the Things that will be moſt proper for your Conſideration; and, Gentlemen, we think we ſhall be able to do it.

I would begin firſt with laying down one Fact, which ſhews, in my Opinion, the Wickedneſs of the Intention of the Priſoner at the Bar; that was this: This Ticket he bought at *Wilſon*'s Lottery-Office; when he came there, he enquir'd for ſome Lottery Tickets to buy, and enquir'd for Numbers where there were either 6 or 9 in theſe Numbers: The People with regard to Chances might be ſuperſtitious; a plauſible Reaſon he gives why he deſir'd Numbers of 6 and 9, was that they were fortunate and lucky Numbers: Gentlemen, I am afraid it will be the Reverſe to himſelf. Gentlemen, if you conſider it, it is an eaſy Thing to take off 6 and make it an 0. Thus the 6 and 9, by the Alteration of one of theſe Numbers, you have twenty-three Chances to one but it comes up a Prize; if you have the Number wherein there is a 6 and 9, keep it, ſee whether it comes up a Prize or not: If it comes up a Blank, if I will own this Number, in five Numbers ſuppoſe 6 and 9 to be among them, according to my Inſtruction you may have twenty-three Chances, in order to have a Chance of that's coming up a Prize; therefore he ſhews *cum animo*, that he applied at *Wilſon*'s Office to have a Ticket with a 6 and 9. As Matters of this Nature depend on Circumſtances, we muſt lay all before you, and you muſt connect them all together. And after ſome Time that he had bought this Ticket, and it came up a Blank, he went and ſold it for a Prize at Mr. *Hazard*'s Lottery-Office. I believe it may be known to you to be pretty uſual, when a Ticket is ſold for a Prize, that the Owner of the Ticket, or the Perſon that ſells the Ticket, is requir'd to indorſe his Name on the Back of the Ticket; accordingly the Priſoner at the Bar was directed ſo to do when he ſold this for a Prize of 20 l. Gentlemen, did he put his Name on the Back of it? No. What was the Name? *John Wilſon*, jun. How came he with his own Hand to write *John Wilſon*, jun. when his Name was *Peter Mayaffree*, not *Wilſon*? Would a Man, who intended to act fairly, go not to put his true Name, *Peter Mayaffree*, and put one *John Wilſon*, jun.? That to me is an extreme ſtrong Circumſtance, that at that Time he was doing what he knew he ought not to do: He muſt know it was hazardous, dangerous to put his own Name: Had it been not a real good Ticket, he had been conſcious to himſelf, he had been

aſhamed

aſhamed and afraid to put his own Name on the Back of it. The unhappy Perſon at the Bar did ſo; inſtead of putting his own Name, he put *John Wilſon*, jun. If we make this to be Fact, with this Circumſtance alone, which I did not think to do, there is another Circumſtance, that at the Time he was charg'd with this Offence, that he himſelf own'd and acknowledged it. But, Gentlemen, you'll excuſe me, however, from not relying ſingly on that Circumſtance of his acknowledging alone; though, to be ſure, it is the ſtrongeſt Evidence in the World; but to ſtrengthen and corroborate that, we, on the Part of the Crown, think it our Duty to lay before you all the Circumſtances. Theſe are the Circumſtances we muſt mention; we don't doubt, when we have laid theſe before you, but you will think this Ticket before you is forged and alter'd. Gentlemen, the bare ſelling a Ticket which has been alter'd, is of itſelf a pretty ſtrong Suſpicion upon the Party, at leaſt it throws him upon this Proof. Any Man, indeed, may go into *Change-Alley* and buy a Ticket alter'd by another Perſon: But if one does do it, and goes to ſell that again, it throws the Proof upon the Party to ſhew how he came by it. We can ſhew how this Gentleman came by this Ticket; that it was ſold to him at *Hazard*'s Lottery Office. That 19,105 at *Wilſon*'s Lottery Office. As to 19,105, that was never ſold at that Office. So far the Council for the Crown.

Council for the Priſoner.] Q. *(to Mr. Hand.)* I think you are one of the Receivers, and appointed to ſign the Lottery Tickets. Pray, Sir, look upon that Ticket; Did you ſign that Ticket? Is that your Hand-writing? Did you cut that Ticket out of the Book?

Hand. No, I did not cut it, but I ſign'd it.

Council, to Mr. Hand. Where did you receive that Parchment?

Hand. I receiv'd it from the *Bank*; this was ſign'd by the Lords of the Treaſury.

Council, to Mr. Hand. When was it you wrote.

Hand. The printed Part was all the ſame.

Q. Was it ſeparate, or in the Book?

Hand. But five of them in a Leaf.

Q. When you wrote it, it was then in a Book?

Hand. Yes.

Q. Did you examine the Number, and write the Name ſo particularly? Can you venture to ſwear that the Time you wrote your Name it bore the Number 19,165?

Hand. No, I do not particularly remember it.

Q. Well, I ſuppoſe you wrote them curſorily as they fall?

Hand. Yes, Sir.

Q. Who is the Book deliver'd to, to ſign?

Hand. We take, perhaps, 10,000 at a Time.

Q. Is it not poſſible, in tranſcribing ſo many Numbers, that a Man may make a Cypher, and forget to put a Top to it?

Council for the Crown. Brother, I don't think that is a proper Queſtion to be aſk'd.

Court. Mr. *Hand* has prov'd that this was an undrawn Ticket of the laſt Lottery deliver'd out.

To Mr. Jones, *Secretary to the Managers of the Lottery.* Produce the Book out of which it was cut. Are you ſworn? What is that you have in your Hand?

Jones. The Book that contains 100 Tickets for the Lottery.

Council. Be ſo good as to put this Number to 19,105, and tell me how it tallies. Does it tally with the Check or not?

Jones. It does not.

Council. Now turn it to 19165, tell me how it tallies with that.

Jones. It tallies with 19165.

Q. Are you concern'd in the Lottery? I deſire to know what is your Opinion, whence that Ticket was cut: Was it cut from 19165?

Jones. Yes. Becauſe the Check agrees to it exactly.

Q. *(by the Council)* I think you told me the Ticket was cut off from 19165. It repreſents 19105 Do you think it has been alter'd?

Jones. Yes. In taking off the Top of the 6 and altering it to 0.

Q. (*by the Court*) Are the Numbers printed or written?

Jones. They are written.

Council. I think we have ſufficiently prov'd that this is a forg'd Ticket.

Q. (*to John Diſel*) Do you know the Priſoner at the Bar?

Diſel. Yes.

Q. Did you buy the Lottery Ticket of him?

Diſel. Yes.

Q. Are you the Servant of Mr. *Hazard*, are you not liable to make good any Deficiencies of Contract?

Diſel. No, Sir, I am not.

Q. Have you the Ticket in your Hand?

Diſel. Yes Sir.

Q. Pray did you buy the Ticket of the Priſoner at the Bar? Did you buy it in the Condition it is now? Pray what might you give for it?

Diſel. I gave 15 l.

Q. Did he inform you that the Ticket was drawn a Prize? Did you buy it as ſuch?

Diſel. Yes. It prov'd to be ſuch by the Commiſſioners Prize-Papers.

Q. And finding that Number to be drawn a Prize of 20 l. you gave him 15 l. for it.

Diſel. Yes.

Q. Pray Sir, did you require that he ſhould endorſe that Ticket?

Diſel. If they are Prizes, we always do it. If they are Blanks we don't inſiſt upon it.

Q. And the Priſoner at the Bar did endorſe the Ticket. What Name is that endors'd by?

Diſel. *John Wilſon*, jun.

Council for the Priſoner. Are you ſure it was he, look at him; did you aſk him what his Name was?

Diſel. No, not then, I did not.

Q. You only aſk'd him to ſign it. Did you aſk where he liv'd?

Diſel, No Sir, I have ſince, but not before.

Court. There is 20 l. wrote in the Front.

Diſel. That was wrote when I bought it.

Q. You took it for a real, unalter'd Ticket.

Diſel. I paid 15 l. for it.

Q. Did you know this young Man before?

Diſel. Sir, I have ſeen his Face before. He came to aſk the Price of Blanks and Prizes.

Q. When was the firſt Time you ſaw him after?

Diſel. I did not ſee him after, 'till I took him the 12th of *January*.

Q. You took him, did you: What did you ſay to him?

Diſel. I took him ſkaiting on the *Canal*. Pull'd off my Hat to him, and ſaid, I knew him; I aſk'd him whether he did not remember ſelling a Ticket, a 20 l. Prize, I aſk'd him his Name. He told me his Name was *Wilſon*.

Council for the Crown. Did he tell you where he bought the Ticket?

Diſel. He ſaid, at *Wilſon*'s Office.

Q. Did you ſay any Thing to him at that Time about altering of it?

Diſel. I did ſay to him, I believ'd it had been alter'd.

Q. (*to John Branch*) You belong to Mr. *Wilſon?*

Branch. Yes.

Q. Do you know of the Priſoner's coming to Mr. *Wilſon*'s to buy any Tickets?

Branch. I can't be poſitive as to the Time.

Q. Did he come to purchaſe any Tickets before the Drawing? Did he, when he came to your Houſe, purchaſe any Tickets?

Branch. He purchas'd eight Tickets.

Q. I deſire to know of you, whether the Number 19,165 was the Number ſold at your Office?

Branch. Yes.

Q. Pray, Sir, when that Number 19,165 was ſold at your Office, did it purport upon the Face of it to bear that Number? Was 19,105 ever ſold at your Office? Are you ſure that the Ticket 19,165 was ſold at your Office? And the Time it was ſold did it purport to bear that Number? Have you ſeen the Priſoner at the Bar any Time before now?

Branch. I have ſeen him at our Office, I believe, twice, and never ſaw him after, 'till I ſaw him at the Conſtable's Houſe.

Q. (*for the Crown*) You are poſitive that 19,165 was ſold at your Office, and I think you are as poſitive that the Number 19,105 was not ſold at your Office?

Branch. Yes.

George Bret. I know this to be the Ticket I took out of the Office, which I ſuſpected to be counterfeit, being cut away at the Top.

Q. (*to Bret*) Look upon the Priſoner. Was you by the Priſoner at the Time he was apprehended? What Name did he anſwer to?

Bret. I aſk'd my Servant, whether that was the Gentleman of whom he bought the Ticket? And I aſk'd the Priſoner, whether his Name was *John Wilſon*, jun. He ſaid it was. After he came to our Office, I fetch'd the Ticket down Stairs to him, aſk'd him, whether this was the Ticket he ſold to my Servant? I aſk'd him, whether it was his Writing? He ſaid it was his Hand-Writing and Name.

Q. (*to Francis Jackman*) Do you live at *Hazard*'s Lottery-Office?

Jackman. I live at *Charing-croſs*.

Q. Was you by at the Time the Priſoner was apprehended?

Jackman. Yes Sir; but was not near enough to ſee his Face.

Q. Now, I deſire to know what Name he would have gone by at that Time?

Jackman. Mr. *Bret* fetch'd down the Ticket, and ſhew'd him the Writing, and he acknowledgld it was his own Hand-Writing.

Q. (*to John Lambert, Conſtable*) Was you by at the Time the Priſoner was apprehended?

Lambert. I was charg'd by Mr. *Bret*.

Q. Pray, who belongs to that Office at *Charing-croſ?*

Bret. Mr. *Hazard* and I, and one Mr. *Baraway*.

Q. (*to the Conſtable*) What was you charg'd with the Priſoner for?

Conſtable. I was charg'd with him for counterfeiting a Lottery-Ticket. The Time he was in my Cuſtody

Cuſtody, he own'd that that was his Hand-Writing. That was all that I heard him ſay.

Council for the Priſoner. If your Lordſhip will favour me upon this Act of Parliament in Point of Law—Now my Brother ſays that he has done—And if he has done, I apprehend clearly upon the Conſtruction of this Act of Parliament, that your Lordſhip muſt direct the Priſoner to be immediately acquitted. This Indictment conſiſts of eight ſeveral Accounts. Notwithſtanding the fair Admonition they had to put it in a proper Way, if they could have done it, they have, with great Submiſſion to the Court, in Point of Law, fail'd. My Lord, it is a new Proſecution, and founded upon a new Act of Parliament. Nor would I be underſtood by any Thing that may drop from me, in the leaſt to encourage or countenance the ſmalleſt Attempt to impoſe upon the Publick. My Brother will own, that I did deſire laſt Seſſions that this young Gentleman might be continued, on the Account of their failing in their Indictment then. I apprehend the ſame Objection ſtill remains that was then debated, to be eſſentially neceſſary to the contributing to this Crime, which ſeems now to be defective, both upon the Face of the Indictment, and Appearance of the Evidence, that ſtands upon it. In the firſt Place, upon the Face of the Indictment, it was clearly determin'd by the Court, and upon the beſt Reaſons, that they fail'd for want of laying it in the Indictment. That this muſt be to defraud ſome Perſon or another; becauſe any Perſon living might take it and cut it to Pieces, and make what Alteration in it he pleaſed, provided he did it without an Intention to defraud any Perſon whatſoever; and this very Statute and very Clauſe, that authoriſes this Proſecution, ſeems to vindicate this Thing, and quote a proper Method for a Determination of it. Firſt, whether this is a real or proper Ticket or not. I muſt confeſs that the Evidence that is given, never deſires to carry it any further than the Law will bear. Here has been a Ticket that does not tally with theſe Books. My Brother talk'd of producing the real and true, that purports the Number, which this is alter'd to, which was actually, and *bona fide*, entitled to this Prize. If it did come up a Prize. He ſays he had it; he ſhould have produced it. Now if he had the Ticket, and do not produce it, tho' he ſuggeſts there is ſuch a Ticket, as that, they are bound on their Oaths not to believe it; whatſoever Alteration there is in this Ticket produced in Point of Law, whether by Deſign or Accident muſt be reckon'd a real Ticket, unleſs they could have prov'd that any Perſon did actually alter it. And it ſeems to be calculated, upon reading this whole Clauſe, that the Legiſlature has determin'd, before there ſhall be a criminal Proſecution, that there ſhall be a thorough Examination into the Matter; therefore, your Lordſhip will pleaſe to obſerve, how the Statute has determin'd this Thing. Here is a Diſpute between the Number of two Tickets. If this Ticket has been alter'd from 19165 to 19105, the Conteſt muſt ariſe, who is entitled to the Prize of the real Number, or the Owner and Proprietor of this alter'd Ticket, that imports at preſent to bear this Number; therefore, they ſhould have gone to the Commiſſioners and Managers to adjuſt this, before the Proſecution could have been ſet on Foot [ſome Clauſes in the Act of Parliament were read]. Next Place it ſays, if any Diſpute ſhould ariſe——Here is a Contention and a Diſpute; the Contention is, whether this Number now importing 19105, which they ſay is alter'd; or whether the Ticket 19165 is the real Benefit Ticket. This muſt invariably be, I apprehend in Point of Reaſon and Point of Law, between the Proprietor of the real Ticket and the Owner of this Ticket.

To Mr. Veaw. What do you know of thePriſoner?

Veaw. He was in our Compting-Houſe ever ſince he was eight Years old. He behav'd honourably and well.

Q. Who has he liv'd with here in *England?*

Veaw. A Jeweller in *Taviſtock-Street.* I never heard but he behav'd in every thing well: That is the Character he has had all along; and he was entruſted with Jewels?

Q. Do you know of your own Knowledge that he has been entruſted with Jewels?

Veaw. He has been at my Compting-Houſe, ſent by his Uncle; and I know he has always done well.

Q. Pray, Sir, how old may he be?

Veaw. About ſeventeen Years.

Q. When in *Holland* he was put into the Compting-Houſe, at eight or nine Years of Age? When he came into *England* he was about eleven Years of Age? You remember him in the Compting-Houſe in *Holland?*

Veaw. Yes, in my own Compting-Houſe.

Q. How long was he in your Compting Houſe?

Veaw. He was there above half a Year.

Q. Now give me Leave to aſk you, how you came over to *England?*

Veaw. I have liv'd in *England* almoſt nine Years, backwards and Forwards.

Q. Was it before you came over the firſt Time, or afterwards?

Veaw. Afterwards, when I went over again.

Q. You ſay in your Compting-Houſe: Was he there entruſted with large Sums of Money? Do you

you commonly truſt Boys with large Sums of Money?

Veaw. What large Sums they can pay in Silver.

Q. (to Mayaffree) How long has this young Man liv'd with you?

Mayaffree. Six Years.

Q. In what Manner has he behav'd?

Mayaffree. Very well. I have entruſted him ſeveral Times with 2 or 3000 l. value.

Q. Has he had the Command of Money, upon your Oath, has he not defrauded or cheated you?

Mayaffree. Not of one Farthing. A very honeſt ſober Perſon, every Body lov'd him.

Q. (to William Joſlin) How long have you known the Priſoner?

Joſlin. Three or four Years. He always had a good Character, Sometimes he has brought Jewels to our Houſe from his Uncle, of a conſiderable Value. I have always heard a fair Character of him. I was never more ſurpris'd than to hear of of this Indictment laid againſt him.

Q. (to ——— Parquot) How long have you known the Priſoner?

Parquot. I have known him a great While. I know him to be an honeſt, ſober Lad.

Q. Do you think that he is a Man that would be guilty of ſuch a Crime as this?

Parquot. I was aſtoniſh'd when I heard ſuch a Thing of him.

Several other reputable Perſons appear'd in Behalf of the Priſoner, and gave him a good Character. Guilty **Death**.

His Lordſhip in the Concluſion of his Charge, to the Jury, deſir'd them to take into ſome Conſideration, the Character, which gives ſome Weight in Caſes of a doubtful Nature.

The Jury on Account of his excellent Character and tender Years, recommended him to his Majeſty's Mercy.

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129. **Alice Impey** was indicted for ſtealing Cloth off of the Tenters in the Night-time, the Property of Mr. *Samuel Lugdan.*

Sarah Gaſkins. I bought the Cloth of the Priſoner at the Bar ſome Time before *Chriſtmas.*

Thomas Burt. I ſet the Cloth on the Tenters about Six o'Clock on the 6th of *December* in the Evening. Next Morning, about Seven, I came to ſee for it; there were two Pieces cut off, and the Liſt from which it was cut agrees exactly. The Cloth was valued at 5 l.

The Priſoner had little to ſay in her own Defence. And ſhe was alſo caſt on another **Indictment of the like Kind. Guilty, Death.**

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 7.

Abijah Burk	126	*Alice Impey*	129
John Wareham	124	*John Peter Mayaffree*	128
Thomas Davis	125	*Thomas Camell*	123
Catherine Howell	114		

Receiv'd Sentence of Tranſportation for 7 Years, 18.

Elizabeth Williams	127	*Catherine Burk*	100
Anne Howard	88	*Mary Anne Ford*	97
Suſannah Grant	89	*Mary Inwood*	106
Elizabeth Gardner	95	*Anne Thomas*	111
Mary Pagram	99	*Mary Dawſon*	120
Barthia Whitfield	103	*William Parford*	91
Adam M'Carnick	109	*Jane Roſs, alias Boſs*	92
Peter Swan	112	*Edward Crowther*	93
George Burn	113	*Henry Robinſon*	116

To be Tranſported for 14 Years.

Robert Wilſon 102

To be Whipp'd 4.

Anne Davis	96	*Jane Evans*	105
Elizabeth Gray	98	*Francis Otter*	94

Taken at *Carliſle*, committed for High Treaſon, and order'd to remain.

Francis Townley,	*Andrew Blood,*
John Hamilton,	*Charles Gordon,*
Robert Forbes,	*James Gordon,*
John Burnett,	*Walter Ogilvie,*
George Abernethy,	*Alexander M'Grauther,*
Alexander Abernethy,	*Alex. M'Grauther, jun.*
David M'Donald,	*James Nicholſon,*
John Camerie,	*Thomas Deacon,*
James Gedd,	*John Berwick,*
Alexander Leet,	*John Stalker,*
James Saunderſon,	*Thomas Chaddock,*
Peter Moſs,	*Thomas Turnvatt,*
James Davieſon,	*Charles Deacon.*
George Fletcher,	

Formerly attainted of ſeveral Felonies, High-Treaſon, Murder, *&c.* and receiv'd Judgment of Death.

John Webb,	*Thomas Morgan,*
Joſeph Mayſon,	*Richard Locker,*
Edward Lloyd,	*Judith Tilley,*
Deborah Lloyd,	*James Wolfe,*
Catherine Evans,	*Robert Scruton,*
John Moore,	*Mary Green.*

Next enſuing Seſſions to begin,
On *Monday*, *April* 7, at *Guildhall.*
On *Wedneſday*, *April* 9, at the *Old Baily.*

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 9th, THURSDAY the 10th, and FRIDAY the 11th of *April*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Fourth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER IV.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

[Price Six-pence.]

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, the Right Hon. the Lord Chief Juſtice LEE, the Right Hon. the Lord Chief Juſtice WILLES, Mr. Baron REYNOLDS, Sir SIMON URLING, Knt. Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
Robert Green,	*Henry Woolley*,
Thomas Pangborn,	*Edmund Manning*,
Peter Taylor,	*William Harwood*,
Edward Shipman,	*Martin Bullmore*,
Thomas Brown,	*John Davis*,
Thomas Lonondine,	*Jonathan Price*,
John Wood,	*George Fettyplace*,
James George,	*William Coſh*,
Francis Ferris,	*George Shaw*,
Nathaniel Ware,	*John Durham*,
William Millnis,	*John Randall*,
Edward Briſtow.	*James Coates.*

130, 131. **Eleanor Keith**, and **Mary Field**, Acceſſory, indicted for ſtealing a Woman's Changeable Unwater'd Petticoat, Value 20 s. a Water'd Tabby Night-Gown, Value 40 s. one Cloth Short Cloak, Value 5 s. one Yard of Check'd Cotton, the Goods of *James Matthews*, the 3d Day of *March*.

Q. *(to Mary Matthews.)* What do you know of this Matter, that *Eleanor Keith* is charg'd with?

Matthews. I loſt my Things the 3d of *March*; *Keith* confeſs'd to me that *Mary Field* had diſpos'd of them.

Q. Where did you take *Field?*

Matthews. In *White-Lion-Street*, in a Cellar.

Q. Where is your Houſe?

Matthews. In *Orange-Court* in *Holbourn.* I went the next Day and found my Cloak at Mr. *Crew*'s, a Pawnbroker; the next Day I took up *Mary Field*; ſhe and *Keith* confeſs'd the Fact before Sir *Thomas De Veil*, and ſign'd their Confeſſion.

Q. Then you know nothing of theſe Things of your own Knowledge, but what they confeſs'd?

Matthews. No.

Hannah Brooks. I work with Mrs. *Matthews*, and I went with her to Mr. *Crew*'s, the Pawnbroker, where the Priſoner confeſs'd the Suit of Cloaths were pawn'd.

Q. *(to Hannah Brooks.)* Did the Priſoners make any Confeſſion before they went to Juſtice *De Veil*'s?

Brooks. No, my Lord.

Q. Where did you find the Cloaths?

Brooks. They were in pawn in *Bow-Yard.* The Cloaths were produced in Court.

Court. (to the Proſecutor.) You ſay they ſign'd their Confeſſion before Juſtice *De Veil*; his Clerk is here, and he ſays they did not ſign their Confeſſion.

Q. *(to Brooks.)* What was it you heard *Keith* the Priſoner ſay?

Brooks. She ſaid that *Mary Field* carried the Things to pawn to this Gentlewoman for a Guinea and a Half.

Q. What did *Mary Field* ſay?

Brooks. She ſaid ſhe had ſpent Half a Guinea of the Money.

Q. *(to the Proſecutor.)* Where did you loſe theſe Things?

Brooks. Out of a Parlour in my Houſe in *Orange-Street.*

Q. *(to Keith.)* Would you aſk theſe Women any Thing.

Keith

Keith. No, my Lord.

Q. (to Mary Trigger, Pawnbroker) What do you know of theſe Things? Give an Account of them.

Trigger. Pleaſe you my Lord, *Mary Field* brought the Gown and Petticoat to me to pawn; ſhe had liv'd with Mrs. *Owen*, ſhe had been at our Shop ſeveral Times.

Q. When was it ſhe brought them Things?

Trigger. The 3d of *March.*

Q. What is this *Field?*

Trigger. My Lord ſhe liv'd, as I thought, with Mrs. *Owen*, a Servant.

Q. What is Mrs. *Owen?*

Trigger. She buys Things out of Pawn and ſells them again. I never ſaw any Thing of this *Mary Field* but what was very honeſt.

Q. (to——— Crew. Pawnbroker) What have you to ſay to the Priſoner, *Eleanor Keith.*

Crew. The Girl *Eleanor Keith*, pawn'd a Cloak to me the 3d of *March*, for 3 s.

Q. (to Matthews) Is that the Cloak you loſt out of the Parlour with the Things?

Matthews. Yes, my Lord.

Q. (to Matthews) What Time did you looſe theſe Things?

Matthews. Between Seven and Eight o'Clock in the Evening.

John Gelaſby. I keep a Publick Houſe. On the 3d of *March* Mrs. *Matthews*'s Daughter came to my Houſe, ſhe order'd half a Pint of Ale, and wanted Change for a Shilling. I could not give Change then, but went to her Houſe afterwards and found the Door open, and ſhe ſaid ſhe fear'd ſhe was robb'd: Accordingly it was ſo, ſhe deſir'd I would go with her to the Pawnbrokers. I found *Keith* in a Cellar by the *Seven Dials*, and ſhe acknowledg'd before Juſtice *De Veil*, ſhe had taken the Gown and Petticoat from Mrs. *Matthews*, ſhe acknowledg'd that one went in at the Door, and the other receiv'd it from her; whereupon *Sir Thomas* admitted *Mary Parſons* as an Evidence; ſhe confeſs'd the Gown and Petticoat were at Mrs. *Owen*'s Houſe by the *Seven Dials.*

Court. (to the Priſoner, Eleanor Keith) In the firſt Place, what have you to ſay for yourſelf?

Priſoner. *Mary Parſons* aſk'd me if I would go with her to her Huſband, whereupon I went out unknown to my Mother, and ſhe went to this Gentlewoman's Houſe (the Proſecutor) and brought out theſe Things, and deſir'd I would carry them for her.

Q. (to the Priſoner, Mary Field) *Mary Field*, what have you to ſay for yourſelf.

Priſoner. Pleaſe you my Lord I pawn'd the Suit of Cloaths for a Guinea and a Half. I own'd that I had pawn'd them, and ſhew'd the Conſtable where they were.

Q. Who had you thoſe Goods of that you pawn'd; who gave them to you?

Priſoner. *Mary Parſons.*

Q. Have you any Witneſſes?

Priſoner. No, my Lord, I have been a Servant from twelve Years of Age.

Keith Guilty 39 s. *Mary Field* Guilty, acceſſary to the ſaid Felony.

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132. **Edward Parker**, not having the Fear of God before his Eyes, and being mov'd by the Inſtigation of the Devil, did aſſault *Joſeph Abroon*, in *Downing Court*, and with both his Hands ſtriking and giving him upon his Belly and Stomach ſeveral mortal Bruiſes, &c. whereof he died.

Q. (to Thomas Thornhill) What do you know of this Matter?

Thornhill. The Houſe where this Thing happen'd I had lodg'd at; there was a poor Woman in the Houſe that waſh'd my Linnen; as I was going to her thro' the Houſe, I ſaw five or ſix Soldiers playing at Cards in the Box.

Q. What Houſe is it?

Thornhill. A Publick Houſe, in *King-Street, Weſtminſter*; I ſet down with the Landlady's Siſter in a Box, about half an Hour, upon which I heard ſome Words ariſe between two Soldiers, and the Deceas'd ſwore that he had won the Game; the other (the Priſoner at the Bar) ſwore that he had not won it fair, and inſiſted upon its being play'd over-again, the other ſwore he would not; upon that he came out of the Box, the Priſoner at the Bar inſiſted that he would not pay, the other Man (the Deceas'd) came out to him, and ſwore he ſhould pay it; with that they had a great many Words, at laſt the Deceas'd was in a great Paſſion, ſtripp'd into his Shirt, ſwore he would fight him if he did not pay it. Said the Priſoner, I will have a Knock with you over the Table; the Priſoner did not ſeem to be willing to go into the Houſe to fight; ſo after a great many Words, at laſt they put their Clothes on again, for the People of the Houſe ſaid there ſhould be no Fighting in the Houſe; with that Words aroſe again, and the Deceas'd ſwore he would have the Pint of Beer, and call'd for it; the Priſoner at the Bar ſaid he would not pay for it; with that the Deceas'd ſtripp'd his Clothes off again, and ſtruck the Priſoner at the Bar, and ſwore he would have the Beer, and in a vaſt Paſſion, very forward to

fight

fight, he call'd this Man a great many Names because he would not pay, and ſtruck him once or twice, and the Priſoner did not return it, and did not ſeem to be free to fight with him; but after a great many Words, and many Provocations, the Deceas'd ſtruck him again; at laſt the Priſoner at the Bar ſaid, I can't fight againſt four or five of you, or elſe I ſhould not be afraid to take a Knock or two with you; ſo the Corporal ſaid, don't make ſuch a Noiſe here, but if you have a mind to fight, go out, and no Man ſhall ſtir out here. The Corporal ſaid to the Priſoner, I will give you five Shillings if any Man comes out to give you any foul Play. After many Provocations the Priſoner at the Bar ſaid I'll go out and take a Knock or two with you, if I have fair Play; ſo they went out at the Back-Door and went up to Downing's-Court there to fight; I not being concern'd about it, but hearing all that paſs'd I had the Curioſity to go out at the Street Door to ſee how the Battle would go; I might be about 30 Yards behind them: I ſaw the Priſoner at the Bar throw his Coat and Waiſtcoat off; they were juſt ſet to it, they made two or three Blows at one another; preſently the Priſoner gave the other a Trip and he tumbled down; tumbling down he did not offer to get up again; ſo he not offering to get up, the Priſoner at the Bar ſaid, if you will have any more of it get up; with that he gave him a little Pull by the Hand, and it ſeem'd as if the Man was afraid to get up again; but I ſaw he began to work at the Stomach, and began to heave and froth at the Mouth; and I believe died in ten Minutes.

Q. How far off was you from them?

Thornhill. Pleaſe you, my Lord, I was as near as the Door.

Q. (*to the Priſoner*) Will you aſk the Witneſs any Queſtions?

Priſoner. No, my Lord.

Q. (*to Joſeph Terry.*) What do you know of this Matter?

Terry. I keep a Publick-Houſe juſt facing this Houſe; I was coming out to make Water? I ſaw the Priſoner at the Bar and the Deceas'd, they were both ſtripp'd.

Q. Then you was not in the Houſe?

Terry. No, my Lord; but when I came up to them I believe there was four or five Blows between them both; I believe a Boy of twelve or fourteen Years of Age could have given a greater Blow than either of them: The Deceas'd fell backward; when he was down the Priſoner at the Bar put his Hand to his Breaſt, and ſaid, take a good Heart and get up again. Coming back I ſaw the Landlady of the Houſe at the Back Door, who ſaid to me, Did you ſee it? Yes, I ſaid, I believ'd it was all over. The Girl came back preſently after me and ſaid, the Man is dead, and he was brought down.

Court. You ſaw him dead.

Terry. I ſaw him dead; that is all I know of the Matter.

Q. (*to William Buchanan.*) What do you know of Priſoner? What Office do you bear?

Buchanan. I am a Serjeant: I have known the Priſoner many Years; he always behav'd well as a Soldier; I never knew him brought into any Scrapes? he receiv'd a Wound in Flanders, was taken a Priſoner to France, and was there five Months. Guilty of Manſlaughter.

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133. **Heſter Summerton** was indicted for ſtealing a brown Ducape Mantua Silk Gown, a Holland Ruffled Shirt, and a Pair of Worſted Hoſe, out of the Dwelling Houſe of *William Roberts*, of *St. Alban-Street*, near *St. James's-Market*, on the 16th of *March*.

William Roberts. The Priſoner went away from us on *Sunday* Morning; upon Examination we found ſeveral Things loſt; the firſt Thing was a Ruſhed Shirt of Capt. *Agnew's*; the brown Ducape Gown was taken out of a Box ſhe broke open, where ſhe took the Things expreſs'd in the Indictment. On Sunday we made the greateſt Search we could to know what Part of the Town ſhe was gone into; on *Monday* we heard of her being in ſeveral Places in the City; on *Tueſday* Morning I went to Capt. *Agnew's* Servant, and we took her in a Garret in *Clare Market*, at a Shoemaker's.

——— *Rim.* I am Conſtable; I was charg'd with the Priſoner at the Bar; ſhe confeſs'd the Gown to me when I had her in Cuſtody, upon her Miſtreſs's promiſing to make it up with her.

Q. What did ſhe ſay? Did ſhe ſay ſhe had the Gown?

Rim. She told me 'till her Miſtreſs came ſhe would not confeſs any thing; her Miſtreſs, when ſhe came, told her if ſhe would tell her where thoſe Things were ſhe would forgive her: She told her ſhe had pawn'd the Gown to one Mrs. *Collins*, and Mrs. *Roberts* had it again; likewiſe the Captain, who is ſince gone abroad, had the Shirt; her Miſtreſs laid down the Money for it.

Q. Who were they pawn'd to?

Rim. To a Pawnbroker in *Covent-Garden.*

Q. Who

Q. Who was with you when this Shirt was taken out of pawn.

Rim. No body was there but me.

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtions?

Priſoner. I told my Miſtreſs I would ſatisfy her for her Gown.

Rim. I muſt confeſs there was ſomething of that; her Miſtreſs did promiſe her Forgiveneſs if ſhe would confeſs. Guilty 39 s.

134, 135. **George Haughton** and **Anne** his Wife were indicted for ſtealing two Linnen Sheets and two Pillowbears, Value 6 s. the Property of *Mary Detorſe*, on the 24th of *January*.

Q. (*to Mary Detorſe.*) What have you to ſay againſt the Priſoners?

Detorſe. The Priſoners lodg'd in my Houſe.

Q. Where is your Houſe.

Detorſe. In *Nightingal-Lane, Wapping.* When I went up to them on *Sunday* Morning, the Woman, the Priſoner, ſaid, I am going away; I ſaid when; ſhe ſaid on *Sunday* Night; I ſaid, How muſt I come by my Sheets? They would have paid me for Lodging, but I would not take it. Says the Priſoner, d——n your Eyes, it is *Sunday* and I do not care to make a Noiſe: She damn'd me for a Bitch, that I ſhould do my worſt; and her Huſband ſaid, I'll blow your Brains out.

Q. What do you know of their having your Sheets?

Detroſe. I deliver'd the Sheets to them the 24th of *January*.

Q. You deliver'd them to uſe?

Detroſe. Yes. my Lord.

Q. Do you know who took them away?

Detroſe. No, my Lord; but the Priſoner appear'd very well, ſhe wore a Couple of Gold Rings upon her Fingers, and I thought they would give me my Sheets again.

Q. When did they leave their Lodgings?

Detroſe. They left their Lodgings about ſix Weeks ago.

Q. When you demanded the Sheets then they gave you this Sort of Language you mention'd?

Detorſe. Yes, my Lord.

Q. Did they go out of the Houſe at all?

Detorſe. They were going.

Q. Did you get the Warrant on *Sunday?*

Detorſe. Yes, my Lord.

Q. When you went up to them were your Sheets in the Room?

Detorſe. No, my Lord, I could not find them.

Q. (*to Jane Heart.*) What have you to ſay?

Heart. I ſaw the Landlady of the Houſe deliver the Sheets and Pillowbears to Mrs. *Haughton*, the Priſoner.

Q. (*to Joſhua Seaman.*) What have you to ſay of the Priſoners?

Seaman. My Lord, the Priſoner belongs to a Company that I belong'd to ſome time paſt, and he is a Man of an extraordinary Character; he always behav'd very well as a Soldier.

William Bland. Pleaſe you, my Lord, the Priſoner, Mrs. *Haughton*, waſh'd my Linnen, and when I went for it on the *Monday* they told me that they were gone; and the Woman of the Houſe aſk'd me whether I took the Sheets or not; ſhe afterwards ſaid the Priſoner gave the Things to me, and I carry'd them off.

Q. (*to John Glinden.*) What have you to ſay?

Glinden. I always heard that they were two as honeſt People as any that belong'd to the Army; I would almoſt ſwear for them: I could take my Oath again, that they are as honeſt People as any in the Army.

Q. (*to the Priſoners.*) What have you to ſay?

Priſoner. She (the Proſecutor) told me that the Clerk would do any thing for her for a Pot of Beer.

Q. (*to the Priſoner.*) What do you think became of theſe Sheets?

Priſoner. We have reaſon to believe that ſhe (the Proſecutor) took them away herſelf.

Bland. When I went to the Houſe the Landlady charg'd me with having the Sheets, and ſaid that I receiv'd them from Mrs. *Haughton*. Acquitted.

136, 137. **Anne Darby** and **Anne Bayly** were indicted for ſtealing five Braſs Candleſticks, Value 5 s. a Coffee-Pot, Saucepan, three Cambrick Handkerchiefs, three Linnen Shirts Value 4 s. and three Aprons; the Goods of *Hugh Spence.*

Q. (*to Hugh Spence.*) What have you to ſay againſt the Priſoners?

Spence. They liv'd the next Door to me; they broke a Party-Wall and ſtole theſe Things from me when I was out.

Q. Where is your Houſe?

Spence. In *Eaſt-Smithfield.*

Q. What were theſe Priſoners?

Spence. They were Lodgers next to me.

Q. When was this?

Spence. It was, to the beſt of my Knowledge, the 7th of *February* they took an Opportunity to break the Party-Wall.

Q. How do you know that they broke through the Party-Wall?

Spence. Very well, my Lord, for I found the Goods upon them.

Q. Did you find a Hole big enough for them to go through?

Spence. Yes, and I miſs'd five Candleſticks, three Shirts, three Aprons, *&c.* but I found nothing but two Shirts upon them.

Q. Upon which did you find the two Shirts?

Spence. I found the two Shirts at a *Pawnbroker*'s in *Eaſt-Smithfield.*

Q. How do you know the Priſoners had them? I thought you ſaid you found them at the *Pawnbroker*'s.

Spence. Yes, the Shirts, but the Braſſes I found upon them, the five Candleſticks.

Q. What did *Bayly* confeſs?

Spence. That *Anne Bayly* brought them home.

Q. How did ſhe ſay ſhe came by them?

Spence. She own'd ſhe took them out of my Houſe.

Q. But what do you know againſt *Anne Bayly?*

Spence. She was Confederate with her I have Reaſon to believe.

Mary Spence. I was out when theſe Things were ſtole, when I came home both my Doors were open, the Street Door and the other, and the Priſoner at the Bar, *Anne Darby*, ſaid *Bayly* broke the Party Wall with a Handbruſh.

Q. Was this ſaid in the Hearing of *Bayly* that ſhe had broke the Wall?

Sponce. Yes. But *Bayly* denied it; the Priſoner at the Bar ſaid ſhe gave her Share of two Pints of Purl, and ſhe would have had her took all our Pewter beſides, but *Anne Darby* ſaid ſhe had enough.

Q. What Reaſon did *Bayly* give for coming with *Darby?*

Spence. *Anne Bayly* is a vile ſort of a Perſon.

Q. How long have you known her?

Spence. She is a vile Perſon, ſhe buys old Stockings, *&c.*

Q. (*to* ——— *Thawer*) What do you know of this Affair?

Thawer. I know nothing of this Affair. But the young Woman that liv'd next Door to Mrs. *Spence*, had the Misfortune to entertain this *Anne Bayly.* She was out of the Way all the Day, when ſhe came home ſhe heard of this Robbery being committed.

Q. Do you know any Thing of your own Knowledge?

Thawer. The next Morning this *Anne Bayly* was pump'd.

Q. What do you mean by pump'd.

Thawer. She was pump'd.

Court. I ſuppoſe you mean examin'd.

Thawer. Yes.

Q. Do you know any Thing of your own Knowledge?

Thawer. I took *Anne Bayly.* I cry'd, Hip, you had better come Girl, or I will charge the Conſtable with you, and then we carry'd her before Juſtice *Dennis*, but *Bayly* would not own any Thing.

Q. (*to* ——— *Porter*, Conſtable) What do you know of this Affair?

Porter. I had a Warrant to take up theſe People. I ſaid to *Darby*, are you in the Warrant; I aſk'd her about it; ſhe ſaid *Anne Baily* took a Handbruſh and beat a Hole in the Wall and handed theſe Things out to her. I ſaid if ſhe was not in the Warrant I would take her, and I did, and carry'd them before Juſtice *Dennis*, and the Girl ſwore it before him.

Q. (*to the Priſoner*) Have you any Witneſſes.

Priſoner. No.

Anne Baily Acquitted. *Darby* Guilty.

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138. **Mary Harris** was indicted for ſtealing one Linnen Shift, and one Pair of Sleeves, the Goods of *Philip Hughes*, the 13th of *December.*

Q. (*to Elizabeth Hughes*) Had you any Clothes ſtole from you.

Hughes. Yes, my Lord.

Q. When.

Hughes. The 18th of *December.*

Q. Is your Huſband's Name *Philip Hughes?*

Hughes. Yes.

Q. Do you know who ſtole theſe Things?

Hughes. Mary Harris, my Lord. I found the Shift Sleeves upon her.

Q. Did ſhe ſay any Thing about them?

Hughes. She ſaid they were pledg'd in ſeveral Places, but no more were ever produced.

Q. Do you know any Thing ſhe ſaid about the Things?

Hughes. We could not give Credit to her becauſe ſhe was in different Stories.

Q. Did ſhe make any Confeſſion?

Hughes.

Hughes. Yes. Before the Juſtice.

Q. Was her Confeſſion taken in Writing?

Hughes. Yes, my Lord, to the beſt of my Knowledge, but he ſaid there was no Need of any Thing elſe but the Sleeves to be produced.

Court. (*to the Priſoner*) You hear what this Woman ſays, ſhe ſays, among other Things, ſhe loſt a Pair of Shift Sleeves, and that you was taken up by her Huſband's Brother, and you had thoſe very Shift Sleeves on.

Priſoner. 'Tis a hard Matter, my Lord, to ſwear by a Bit of Cloth. Guilty 10d.

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139. **Jane Carter** was indicted for ſtealing one Linnen Shift, one Dimety Petticoat, one Muſlin Handkerchief, *&c.* the Goods of *Amelia Duglas* and *Bridget Baskerfield.*

Q. (*to Duglas*) Had you any Goods ſtolen from you? What did you loſe?

Duglas. I have loſt many Things, but found only one Handkerchief.

Q. Do you know of any other Goods ſtolen, a Shift, a Pair of Stockings, *&c.*

Duglas. Yes.

Q. Did ſhe take the Handkerchief at the ſame Time ſhe took the other Things?

Duglas. I can't ſay.

Q. Did ſhe live with you?

Duglas. Yes, my Lord, about ſeven or eight Weeks.

Q. How do you know that ſhe ſtole them if you found only the Handkerchief upon her?

Duglas. She had the Handkerchief and other Things pinn'd to her Petticoat.

Q. (*to Bridget Baſkerfield*) Did you loſe any Thing at Mrs. *Duglas*'s?

Baſkerfield. I loſt a Shift, four Yards of Lace, and two Laced Caps.

Q. Do you know who took them? do you know who has them?

Baſkerfield. No, my Lord.

Q. What became of them?

Baſkerfield. Mrs. *Duglas* found them upon her.

Court. Theſe Things ſhe found, and theſe were your Goods?

Duglas. Yes, my Lord.

Court. (*to the Priſoner*) Have you any Witneſſes to call.

Priſoner. No my Lord. Guilty.

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140. **William Pattree** was indicted for ſtealing a Boy's Hat, the Property of *Abraham Cock*, on the 23d of *March.*

Q. (*to Abraham Cock*) Had you any Thing ſtolen from you?

Cock. Yes, my Lord. On the 23d of *March*, as my Child was playing in *St. Martin's-le-Grand*, the Priſoner drawed the Child away.

Q. (*to Martha Higgs*) Do you know the Priſoner at the Bar?

Higgs. Not before I ſaw him take the Child's Hat. I ſaw him take the Hat off the Child's Head on *Sunday* the 23d of *March*, and run down *Peter*'s *Hill* with it.

Q. Where did you ſee the Priſoner take this Hat?

Higgs. In *Knight-Rider-Street.* Guilty 10d.

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141. **Mary Harris** was indicted for ſtealing ſix Yards of Silk, the Tail of a Woman's Gown, the Property of *Mary Swithin.*

Q. (*to Mary Swithin*) Had you any Thing ſtolen from you?

Swithin. My Lord I had the Tail of a Gown taken out of my Drawers, and I found it was pawn'd by my Servant, who is the Priſoner at the Bar.

Q. Do you know any Thing of her ſtealing the Gown? When was it that you loſt it?

Swithin. My Lord I miſs'd it the 13th of *May* laſt, and when ſhe found that ſhe was detected, ſhe would have laid it to another Woman's Charge. When I came home, ſhe (the Priſoner) ſet us Dinner in the Dining-Room, while ſhe run away, and I never ſaw her ſince, 'till I ſaw her brought down from our Garret by two Watchmen.

Q. When was that?

Swithin. The 22d of *February.*

Q. (*to Dorothy Dikiſon*) Do you know any Thing about the Tail of a Gown?

Dikiſon. I know ſo far as this, that ſhe (the Priſoner) brought it to me, and ſaid, I wiſh you would do ſo much as to carry this for me to Mrs. *Diſon*'s. I ſaid *Mary*, What have you to do with this? whoſe is it? She anſwer'd, Whoſe ſhould it be but her own?

Q. Did you ſee this in the Poſſeſſion of the Priſoner?

Dikiſon. This is the Tail of a Gown I carried to *Anne Diſon.*

Q. (*to the Priſoner*) Will you aſk this Witneſs any Queſtion?

Priſoner. I know nothing of it.

Q. (*to Anne Diſon*) Do you know any Thing of that Gown Tail?

Diſon. That, to the beſt of my Knowledge, is the Gown Tail that *Dorothy Dikiſon* brought to me

as

as her own, and I pawn'd it to *Erwin* the Pawnbroker.

Court. (to the Priſoner) Have you any Witneſſes?

Priſoner. No.

Guilty of the Indictment.

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142. **Margaret Hudlas** was indicted for ſtealing a Silver Candleſtick, the Property of *Anthony Hoges*, Eſq;

Q. (to Sarah King) Do you know any Thing of a Silver Candleſtick that was ſtole from Mr. *Hoges*.

King. Yes.

Q. When was it miſſing?

King. I think it was taken laſt Monday was a Fortnight.

Q. Do you know who took it?

King. My Lord I cannot tell. I was not preſent.

Q. Was it Mr. *Hoges*'s?

King. Yes, my Lord; it was in my Care.

Q. How came you by that Candleſtick again?

King. My Lord it was advertis'd; I did not miſs it 'till it was advertis'd.

Q. How came the Perſon to advertiſe it?

King. Becauſe it was brought to him to ſell.

Q. (to Edward Eldridge) What do you know of this Matter?

Eldridge. The Priſoner brought this Candleſtick to me (with the Creſt ſcraped out) to ſell; I ſtopp'd her, and had her before my Lord Mayor, and ſhe was committed to the Compter, becauſe ſhe refus'd to give an Account how ſhe came by it.

Court. (to the Priſoner) You hear what he ſays, that you brought that Candleſtick to him.

Priſoner. Yes, my Lord, I had it deliver'd to me by the Evidence, *Sarah King*.

To make it appear ſomething feaſible, the Priſoner produced a Letter of *Sarah King*'s, wherein there is a Recantation for her calling of her Thief, *&c.* while ſhe was at Mr. *Hoges*'s.

Q. (to Sarah King) Are you now a Servant at Mr. *Hoges*'s?

King. Yes.

Q. Was the Priſoner a Servant there when ſhe took the Candleſtick?

King. No, my Lord.

Q. (to Sarah King) What did you then call her Thief for?

King. For ſeveral little Things.

Q. (to Joſeph Evans) Do you live at Mr. *Hoges*'s now at this Time?

Evans. Yes, my Lord.

Q. Do you know the Priſoner at the Bar?

Evans. Yes, my Lord, ſhe came to me and told me ſhe wanted our new Houſe-keeper to give her a Character; ſhe ſaid ſhe came from the old Houſe-keeper, Mrs. *Johnſon*.

Q. Who is the Houſe-keeper now?

Evans. One Mrs. *Tennet*.

Q. Does *Mary King* live there ſtill?

Evans. Yes.

Q. Do you remember where the Silver Candleſtick was?

Evans. It was by the Stove in the Kitchen.

Guilty of the Indictment. Clergyman's Felony.

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143. **Jeremiah Ford** was indicted for ſtealing 3 lb. of Tobacco, at *Botolph Keys*, the Property of Perſons unknown, the 11th of *March*.

Q. (to John Rawlins) Do you know the Priſoner at the Bar?

Rawlins. My Lord, no farther than I ſaw him on the 11th of *March* laſt, at *Botolph Wharf*. I ſaw him take ſeveral Hands of Tobacco. I told him to go away, but in the Afternoon he came again: I ſaid Friend, I would have you go away, for I ſhall certainly ſecure you. I did not ſee him go, but the other Evidence, *May*, ſtopp'd him at the Corner of *Darken-Lane*; he took from him two Hands of Tobacco; I told *May* to let him go, what ſignified a Couple of Hands of Tobacco; but he ſaid that was not all, for there was more with that; we took more out of his Breeches, which is in all 3 lb.

Q. What are you?

Rawlins. I am Watchman to ſeveral Merchants.

Q. (to Priſoner) Do you hear what the Man ſays? Will you aſk him any Queſtions?

Priſoner. No my Lord.

Q. (to William May.) Did you ever ſee the Priſoner before?

May. Not before that Day, to the beſt of my Knowledge, which was the 11th of *March*.

Q. What did you ſee of him that Day?

May. I ſaw the Priſoner at the Bar at ſeveral different Times; in the Morning we were ſhipping off Hogſheads of Tobacco for Mr. *Jonathan Forward* and others. As the Priſoner came out of *Darkhouſe-Lane* I ſaw he could hardly Walk; and I ſaid to him, Friend, you have ſomething more than you

ought

ought to have: Upon which we examin'd him, and took this Tobacco, as is now produced.

Q. (to the Priſoner) Will you aſk him any Thing?

Priſoner. He ſaid he took hold of me, and he would make me ſuffer for bearing him the Night before. I don't know that ever he did ſee me; but he told the Alderman the Night before, that I had beat him, and miſus'd him the Night before.

Q. (to Edward King.) What are you?

King. I am Serjeant of the Company the Priſoner belongs to: He call'd me to give him a Character. He was abroad in *Flanders*, and bore a very good Character as any Man in the whole Army. He always bore an extraordinary good Character.

William Prieſt. He was quarter'd upon me; I have truſted him to draw Beer for me, and never found any Thing amiſs nor miſlaid: He had the whole Houſe to range in.

Michael Weaver. This Man, the Priſoner, was quarter'd upon me before he went down to the *North*. I truſted him with Plate, and other Things of Value, and always found him to be a very ſober, honeſt Man. Acquitted.

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144. **John Webb** was indicted for ſtealing 2 lb. Wt. of Tobacco, the Goods of *Thomas Reynolds*, the 4th of *March*.

Q. (to John Rawlins.) Do you know the Priſoner at the Bar?

Rawlins. Yes, my Lord, for ſome Years. My Lord, upon the 4th of *March* laſt, about Noon, Mr. *Maſchil* detected him in ſtealing ſome Tobacco, and he ran away, and threw out of his Hand two or three Hands of Tobacco.

Court. You did not ſee the Priſoner.

Rawlins. It was *Jeremiah Maſchil.*

Q. Where was this?

Rawlins. In *Botolph Wharf* Gateway, and down *Cock's Key* Gateway. The Priſoner flung out of his Pocket the Quantity of three or four Hands; and after that, when Mr. *Maſchil* had carried him to the *Compter*, he aſk'd me to go down that Gateway, and ſaid, Perhaps we ſhall find ſome Tobacco: With that altogether, there was about 2 lb.

Q. Where did this Tobacco lie?

Rawlins. Upon the Wharf, it was to be ſhipp'd off.

Q. How do you know that this came out of thoſe Hogſheads?

Rawlins. I don't know of its coming out of that particular Hogſhead: I ſaw him take a Hand or two.

Q. (to the Priſoner.) Will you aſk this Man any Thing?

Priſoner. Pleaſe you, my Lord, I was only about to take a little to put into my Mouth, and a Hand came out.

Q. Will you aſk the Witneſs any Queſtion?

Priſoner. Sir, he did not ſee me take a Bit out of the Hogſhead.

Jeremiah Maſchil. This Man, the Priſoner, my Lord, I ſaw him take ſome Tobacco; I purſu'd after him, and catch'd him in a Cellar that I knew he muſt go through; I catch'd him as cloſe to the Parcel of Tobacco, as cloſe as to that Gentleman. My Lord, he has been a Thief theſe three or four Years. He was once in *Bridewell*; and I have often corrected him with ſuch a Stick as this. Guilty.

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145. **William Hutchiſon** was indicted for ſtealing a Number of Iron Hoops, the Property of *John Alcock*, the 26th of *February* laſt.

Q. (to John Alcock.) What have you to ſay againſt the Priſoner at the Bar?

Alcock. The Priſoner own'd that he had taken thoſe Hoops from me.

Q. Was the Priſoner your Servant?

Alcock. Yes.

Q. When was this?

Alcock. I could not ſwear to the Time.

Q. How came you to ſuſpect the Priſoner, if you did not diſcover it?

Alcock. He confeſs'd that he had taken ſome Hoops from me, and ſold them.

Q. How many did he ſay that he had taken?

Alcock. He could not tell.

Q. To whom did he ſell them?

Alcock. To one *Holt:* He was committed upon buying of them knowing them to be ſtole; but he is ſince dead; he died in *Newgate.*

Q. Did you get the Hoops again?

Alcock. No.

Q. (to the Priſoner) Will you aſk your Maſter any Queſtions?

Priſoner. No, my Lord. Guilty 10 *d.*

He would have been tranſported; but his Maſter promiſing to put him on Board a Man of War, he was order'd for Corporal Puniſhment.

146, 147. **John Cooley** was indicted for ſtealing one Linnen Shift and 37 s. in Money; and **Elizabeth Jones** was likewiſe indicted as an Acceſſory, for receiving the Shift, and 15 s. of the Mo-

ney, knowing them to be ſtole; the Property of ——— *Dikins.*

Q. (*to Jane Fiſher.*) What do you know of the Priſoner *John Cooley?*

Jane Fiſher. I liv'd with Mr. *Dikins*, and the Priſoner was an Errand-Boy.

Q. What do you know of his taking this Shift and Money?

Fiſher. The Shift was found upon the Woman's Back, before Juſtice *De Veil.*

Q. What Woman?

Fiſher. That Woman, the Priſoner, *Elizabeth Jones.*

Q. What do you know of the Boy's taking either the Shift or the Money?

Fiſher. He own'd he took it.

Q. Did he own he took the 30 s.

Fiſher. Yes, Sir.

Q. Where did he take this out from?

Fiſher. Out of *Dikins*'s Houſe.

Q. And what did he do with it?

Fiſher. He gave Part of it to that Woman, the Priſoner.

Q. And what did ſhe ſay?

Fiſher. She made very trifling Excuſes when it was taken from her.

Q. Do you know any Thing more?

Fiſher. She (the Priſoner) ſaid that the poor Woman, down in the Bakehouſe, had it, and gave it to her.

Q. Did ſhe own ſhe had it from the Boy?

Fiſher. Yes, ſhe own'd it.

Q. (*to Anne Garret.*) What do you know of this?

Garret. As to the Money, I know nothing of the Matter; but ſaw the Shift that was taken off the Priſoner's Back, that this young Woman, the Witneſs, ſwore too.

Court. (*to the Priſoner.*) What have you to ſay for yourſelf?

Priſoner. Pleaſe you, my Lord, this Boy was Errand-Boy at that Houſe, and I ſold Things at the Door; and he brought me this Shift, and ſaid he found it, and I gave him Sixpence for it.

Q. How came you to buy ſuch a Thing? What was this Shift?

Priſoner. It was but a Rag, my Lord.

Q. (*to John Cooley, Priſoner.*) Have you any Witneſſes to your Character? Have you any Thing to ſay for yourſelf?

Priſoner. I never had any Thing of *Jones* for the Shift.

Q. (*to Sarah Simſon.* Well, What do you ſay?

Simſon. Pleaſe your Lordſhip, I was preſent when the Boy brought the Shift: He ſaid he had found an old Shift; if ſhe would have it ſhe might; and ſhe gave him Sixpence for it, and a Pennyworth of Oyſters, I think, but I am not poſitive.

Q. Have you any Thing farther?

Simſon. Pleaſe you, my Lord, I have known the Priſoner (*Elizabeth Jones*) theſe ſixteen Years, and have lodg'd with her four Years within a Trifle.

Q. What Buſineſs does ſhe follow?

Simpſon. She us'd to go out a Charing 'till ſhe ſet up this Buſineſs of ſelling of Fiſh and Oyſters.

John Cooley. Guilty.

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148. **Sarah Wade** was indicted for ſtealing one Duffil Coat, one Shirt, and a Pair of Shoes, the Property of *John Hoskins*, out of the Houſe of ——— *Main.*

Q. (*to Main*) What have you to ſay againſt the Priſoner.

Main. I left her in my Houſe laſt *Saturday*; knowing her Family, I took her in out of Compaſſion, for ſhe laid about in the Houſe of Office, *&c.*

Q. Where do you live?

Main. I live in *Nightingale-Lane*, in *Angel-Court*, in the Pariſh of *Aldgate.*

Q. How long had ſhe been in your Houſe?

Main. About a Week.

Q. And what did you loſe?

Main. A Duffil Coat, a Pair of Shoes, and one Shirt.

Q. When you had loſt thoſe Things, where did you find them?

Main. Pleaſe you, my Lord, ſhe told me the Coat and Shoes were at a Pawnbroker's in *Eaſt-Smithfield* for Half a Crown, and he denied them to me, and the Watchman went along me; another Pawnbroker ſhew'd me the Shirt, and ſaid ſhe had pawn'd it in my Name.

Q. What do you know of this Woman's having of them?

Main. She own'd ſhe took the Shirt and Shoes before the Juſtice.

Q. Did you get them again? You loſt the Coat and Shoes that were this *Hoskins's.*

Q. (*to the Priſoner.*) What have you to ſay for yourſelf?

Priſoner. My Lord, I certainly did pawn them where I ſaid. Guilty.

149, 150. **Daniel Miller** and **Mary Bell** were indicted for ſtealing one Silver Pint Mug, Value 30 s. the Property of ——— *Atkins.*

Q. (to Peter Stephens.) What have you to ſay againſt *Daniel Miller.*

Stephens. That Priſoner, *Daniel Miller*, came into the Houſe and call'd for a Pint of Beer; I took my Grandmother's Pint Mug, and brought it up with the Beer to the Priſoner, and the Half-Pint Mug I gave to *Elizabeth Ford*; then I went to the Neceſſary-Houſe; my Grandmother call'd; I bid my Siſter go, I told her I could not go; when I came in again, my Grandmother ſaid, this Man has had no Beer, he has only been eating a Red-Herring; ſaid I, then he is gone. I had heard that he liv'd with one *Mary Bell*; I went to the Door, and I ſaw him and two Women with him, *Bell* and *Carter*; upon which I run directly after him, the two Women made off, and I laid hold of *Daniel Miller.*

Q. Have you any thing more to ſay? Have you found it ſince?

Stephens. Yes, Sir, it was found at Mr. *Hoſkins*'s, in *Chick-Lane*, in the Pariſh of St. *Luke*'s, *Foſter*'s-*Buildings.*

[The Mug was produced in Court by *Knight*, the Conſtable.]

Q. (to Stephens.) Is that your Grandmother's Mug?

Stephens. Yes, Sir.

Q. Whence had you this Mug?

Stephens. I had it of one *Hoskins* in *Chick-Lane.*

Q. (to Elizabeth Ford.) What have you to ſay to the Matter?

Ford. I went into the Widow *Atkins*'s Houſe, and called for Half a Pint of Beer; the Young Man, *Stephens*, brought it me; this *Daniel Miller*, the Priſoner, toaſted a Red-Herring, whereof I did eat a Bit with him: After I was gone from the Houſe, and got home, he took the Mug.

Elizabeth Carter. On *Wedneſday* the 12th Day of *March*, this *Daniel Miller* coming down to the Room where he lodges, pleaſe you, my Lord, he called *Mary Bell*, the Priſoner at the Bar, to the Window.

Q. When did this happen?

Carter. The 12th of *March*: He called *Mary Bell*; the Priſoner ſaid he had ſomething to ſpeak to her: When they came to ſit down by the Fire-Side where they lodg'd, he pulled out this Silver Mug, and ask'd me if I would go along with them to ſell or pawn it, which we could: It was carried to *Hoskins*'s in *Chick-Lane*; and it was pawn'd for 18 s. and the Money deliver'd to the Priſoner, *Mary Bell.*

Q. (to Carter.) What is the Priſoner, *Miller?*

Carter. He is a Horſe-Courſer.

Q. Had you no Curioſity to ask him how he came by the Mug?

Carter. I never heard the Man bore an ill Character before.

Q. (to Miller the Priſoner.) What have you to ſay to this?

Miller. When I went into this Houſe I was much in Liquor; there I fell aſleep, and *Mary Bell* took the Mug and carried it home, without my Knowledge.

Q. (to Elizabeth Ford.) Was the Man in Liquor at this Time?

Ford. No, I did not ſee he was at all.

Q. (to Eleanor Hoskins.) What do you know of this Cup? Do you know of *Miller*'s having that Cup?

Hoskins. Pleaſe you, my Lord, I know nothing of the Man; I never ſee him with my Eyes before this Time: The Woman I have ſeen; ſhe came to my Houſe; I keep a Publick Houſe. She ask'd me if I would buy a Silver Pint Mug; I told her, I never dealt in Silver, nor never intended it.

Q. What did you do upon that?

Hoskins. The Creature (ſo I may call her) ſhe wanted to bring me into a Premunire. My Huſband, pleaſe you my Lord, was aſleep; he had been a Journey, and he did not awake at this Time. She ſaid, I wiſh you would be ſo good as to buy the Mug, or let me have a Trifle upon it. I refus'd it; ſhe ſaid ſhe was not in a Dreſs fit to go out with it, and ſaid, will you pleaſe to let your Girl go out to any of your Acquaintance, to borrow as much as they can upon it; ſo the Girl agreed to go, and ask'd what ſhe muſt borrow upon this Mug; the Priſoner ſaid ſhe might borrow 20 s. if ſhe could; but they would not give her any thing unleſs I would come; I went, and told them the People were at my Houſe, and ſo they gave 30 s. for the Mug.

Q. Have you any thing more to ſay.

Hoskins. My Lord, there were 18 s. deliver'd into her Hand.

Q. How came the People by the Mug again?

Hoskins. When the Priſoner receiv'd the 18 s. ſhe ſaid it would get him his Coat, or ſomething, for ſhe believ'd he was in Confinement; theſe Words dropping, gave me a Suſpicion; I got the 18 s. again, and went directly with my Servant to the

Pawnbroker's

Pawnbroker's for the Mug, and no Uſe was paid for it.

Court. You Woman Priſoner, will you ask this Witneſs any Queſtion.

Priſoner. This Maid ſhe ſpeaks of has been a Plyer theſe three Years in her Houſe.

Q. (to —— Miller.) Are you related to the Priſoner at the Bar?

Miller. I am his Mother, he has a very good Character; that *Elizabeth Carter* is a Night Walker and a Thief, my Son is a very honeſt young Man.

Daniel Miller Guilty, Tranſportation for fourteen Years.

Mary Bell, Acceſſory to the ſame Felony, Tranſportation for ſeven Years.

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151. **Samuel Preſton** was indicted for ſtealing one Copper Saucepan, and five Pewter Plates, the Property of *William Sharp*, the 18th of *March*.

Q. (to Sharp) Did you at any Time loſe a Copper Saucepan and five Pewter Plates?

Sharp. Yes. The 18th of laſt Month.

Q. Where is your Houſe?

Sharp. In *Catherine-Wheel-Alley*, *Whitechapel*.

Court. Now give an Account of the Particulars.

Sharp. Pleaſe you my Lord, the Priſoner was at my Houſe on *Monday* Night, a drinking, and he acknowledg'd he took theſe Things from my Dreſſer, before the Juſtice.

Q. What did he ſay for himſelf? Where were the Goods found?

Sharp. At a Publick Houſe over againſt me, pleaſe you my Lord; the Perſon that gave me Intelligence of the Goods, was the Maid of the Houſe, *Elizabeth Humphrys*; ſhe was to have been a Witneſs, but ſhe would not come, pleaſe you my Lord. When I took him before the Juſtice he ſaid he was in Liquor, and he intended to have brought them home again, but he did not; he told before the Juſtice that he had not been well, and he took theſe Things to get a little Money.

Q. Do you know any Thing of the Man; what is he?

Sharp. A Wheelwright.

Q. What is his Character?

Sharp. I never heard any Thing againſt him.

Q. (to the Priſoner) What have you to ſay?

Priſoner. My Lord, I am as innocent of the Robbery as a Child unborn; they declar'd that they were found upon my Bed-Teſter, but they were never put there by me.

The Priſoner declar'd there would have been ſeveral to have appear'd to his Character, but they were gone home with a Deſign to come To-morrow Morning. Acquitted.

152, 153. **Robert O Marſh** and **Thomas O Marſh** were indicted, as Principals, for ſtealing one Linnen Cap, one Yard of Cambrick, one Linnen Apron, and 35 s. in Money, the Property of *John Fall*. *James O Marſh*, and *Catherine* his Wife, were indicted as Acceſſaries to the ſame Robbery; the 6th of *January*.

Q. (to Fall) Have you loſt any Goods?

Fall. I have loſt them, becauſe the Boy took them out of my Houſe.

Q. Did you miſs them, or know any Thing more beſides what the Boy ſaid to you, where did you ſee them?

Fall. I ſaw them at the Pawnbroker's. The Pawnbroker brought them before the Juſtice.

Q. What Goods were brought by the Pawnbroker; did you ſee the Muſlin Hood, did you ſee the Linnen Apron?

Fall. I did not ſee the Apron.

Q. The Yard of Cambrick, is that your's?

Fall. Yes, my Lord.

Q. Do you know it by any Mark?

Fall. No, my Lord.

Q. How then do you know of it?

Fall. Only as the Boy acknowledg'd it.

Q. Was there any Gold produced? You ſay you know that Cap to be yours.

Fall. Yes. But I can't ſwear it.

Q. (to John Swannick) What have you to ſay againſt the two Priſoners at the Bar; *Robert O Marſh*, and *Thomas O Marſh*.

Swannick. Pleaſe you my Lord. Mr. *O Marſh* and Mrs. *O Marſh* ſent their two Sons two or three Morning.

Q. When was this; about how long ago?

Swannick. Very nigh two Months ago, ſince they ſent them to *John Fall*'s at the *Centurion*.

Q. How came you to know of this?

Swannick. I came out of Place, and I went to lodge there.

Court. They ſent them.

Swannick. Yes.

Q. What Time of the Day was it they ſent them?

Swannick. Between Six and Seven o'Clock in the Morning; the firſt Time.

Q. Did you go with them?

Swannick. I liv'd at *John Fall*'s.

Court. You ſaid you lodg'd at *O Marſh*'s.

Swannick.

Swannick. So I did; but when I got into Place at *Fall*'s, they ſent their two Sons of a Morning.

Q. Was you preſent when they ſent them?

Swannick. I was at my Maſter's Son's.

Court. The Man and Woman were at home: How can you ſay they ſent them?

Swrnnick. I went over-night, and Mrs. *O Marſh* came to the Door, and told me they had got 9 d. upon the Apron in pawn.

Court. Then they came to your Maſter's in the Morning.

Swannick. Yes. The firſt Time they came I gave them an Apron.

Court. You gave the two Boys an Apron?

Swannick. Yes, Sir. It was an Apron my Maſter took in for Money.

Q. You gave them that Apron; they carried it away; what then?

Swannick. I went the Night following, and they ſaid they had 9 d. upon the Apron, in pawn.

Q. What have you to ſay more how you came to give them this Apron?

Swanick. The Boy told me his Mother was in want: When I went firſt into the Place, that Woman aſk'd me if I could get any Thing of my Maſter to make her amends for lying in their Houſe, *&c.*

Q. Then old *O Marſh*, the Man, knew nothing of that?

Swannick. No, my Lord: Two Days following the two Boys came again, and I gave them a Towel and two Clouts; then they came about Twelve o'Clock the next Day and I got a Guinea of my Maſter's Money.

Q. How came you by that?

Swannick. I got the Key of my Maſter's Drawers; I knew where he put them: I had a Shilling in Silver, and I and *Robert O Marſh* went out to drinking; and when we came home we were fuddled, and Mrs. *O Marſh* took the Guinea out of my Pocket and bought a Fillet of Veal; ſo they ſpent very near 10 s. that Night; in two Days time the other was ſpent; and ſo, Sir, Mrs. *O Marſh* went to my Maſter and deſir'd him to pay me what ſmall Wages he ow'd me, and ſaid I was a poor Boy and almoſt ſtarv'd; ſo my Maſter, took me again; ſo when I went again to my Maſter ſhe ſaid I ſhould rob my Maſter again, and that I ſhould rob him of 3 or 4 Guineas. And pleaſe you, my Lord, there was ſome Tripe which I ſtole, and Mrs. *O Marſh* dreſs'd it when ſhe knew it was ſtole.

Q. What have you to ſay, Priſoner?

Catherine O Marſh. He uſed to take his Money out of a Purſe, and turn himſelf round and not let us know.

The Priſoners were alſo try'd upon another Indictment, *viz. Robert O Marſh* and *Thomas O Marſh*, as Principals, for ſtealing five Quarts of Cherry-Brandy, one Braſs Candleſtick, a Box-Iron and Heater and two Linnen Aprons, the Goods and Chattels of *George Sheffeild*; and *James O Marſh* and *Catherine* his Wife as Acceſſaries in the ſame Robbery.

Q. (*to George Sheffeild.*) Had you any Thing ſtole from you, and when?

Sheffeild. About the 16th of *January*.

Q. What did you loſe?

Sheffeild. Pleaſe you, my Lord, I loſt a Braſs Candleſtick, one Box-Iron and Heater, two Gallons of Beer, and about five Quarts of Cherry-Brandy.

Q. Who ſtole them, do you know?

Sheffeild. I was not at home when the Robbery was committed; but I found the Box-Iron and other Things in *O Marſh*'s Houſe.

Q. You found ſome of thoſe Things there?

Sheffeild. Pleaſe you, my Lord, Mrs. *O Marſh* ſent for my Wife to come and fetch the Things when the Robbery was talk'd of.

Q. (*to John Swannick.*) What do you know of this Matter?

Swannick. I know all of it.

Q. Do you know who took theſe Things away?

Swannick. I and *Thomas O Marſh* and *Robert* together.

Q. What did you do with them afterwards?

Swannick. They ware carry'd into Mrs. *O Marſh*'s Houſe and hid under the Bed.

Q. Did ſhe know where they were?

Swannick. No, my Lord; Mr. and Mrs. *O Marſh* were drinking at a Houſe by. *Bob* and *Tom* and I went to pawn the Things; we went to a Pawnbroker's in *Brick-Lane*, but they were in Bed; and we went to Mr. *Brown*'s.

Q. Did *James O Marſh* aſk you where you got that Brandy?

Swannick. Yes, and we told him we got it at the next Door; and he did drink ſome of the Brandy, and we went over the Wall and got ſome Beer, and he drank ſome of the Beer.

Q. (*to the Priſoners.*) What have you to ſay for yourſelves?

Catherine O Marſh. Pleaſe you, my Lord, the 3d Day of *January* laſt my Huſband went in to

drink a Pint of Beer, &c. at our Supper. We left this Evidence at play; after we came home my Husband and I went to Bed, and this Witness sat up all Night; in the Afternoon the Evidence came in with a Bundle. My eldest Son said, that *Jack* had got something in his Apron; they were the Things he had from Mr. *Sheffeild*: I sent for Mrs. *Sheffeild*; but she said my eldest Boy was the Thief. They serv'd a Warrant upon us for receiving them. As to the Things I never saw them.

Robert O Marsh and *Thomas O Marsh*, Principals. Guilty.

James O Marsh and *Catherine* his Wife, Accessaries. Guilty.

154, 155, 156. **Hester Hussey, Elizabeth Otaway,** and **Mary Hussey,** (the first as Principal and the other two as Accessaries) were indicted for stealing 19 lb. Weight of Mutton, the Goods of *William Cherry*, on the 6th of *April*.

Q. (*to William Cherry.*) What have you to say in the first Place against *Hester Hussey?* Did you lose any Mutton?

Cherry. Nineteen Pounds, my Lord, on *Saturday* Night last.

Q. From whence?

Cherry. From my Shop in *Spitalfields-Market.*

Q. How did you know she took it?

Cherry. I did not see it, but she confess'd it; my Boy took her.

Q. When she was at your Stall what did she say?

Cherry. She confess'd she had stole the Meat from the Stall.

Q. Do you know any thing of her?

Cherry. No, my Lord.

Q. Was she sober then?

Cherry. I did not see her.

Q. What have you to say to the other two?

Cherry. We found a Loin of Mutton at *Otaway's* House.

Court. Was it your Mutton?

Cherry. She had stole that Loin first, and she carried it home to that Woman's House.

Q. How do you know it was your Mutton e

Cherry. I could tell by my own Cut.

Court. You found, however, a Loin of Mutton at *Otaway's* House.

Cherry. Yes.

Q. And what said she to it?

Cherry. She said she had sent this young Woman to Market to buy it.

Q. Have you any thing more to say? What have you to say to the other Prisoner, *Mary Hussey?*

Cherry. It was found in their Apartment.

Q. (*to Samuel Collins*) What have you to say against this *Hussey*, the Prisoner?

Collins. My Lord, I lost part of a Loin of Mutton; it was taken from this Woman, the Prisoner. I live exactly opposite to my Neighbour, the other Witness; it was his Servant that attack'd the Woman, and the Woman voluntarily own'd it.

Q. Do you know any thing of the other two Prisoners, of their receiving it?

Collins. She told me there was more Meat there and Asparagus (which a Neighbour had a little before lost.) When we went, the old Woman refus'd to let *Hussey* in, as she had Company with her; at last she open'd the Door: When we came in we presently found another Loin of Mutton, with Suet; she said she, the Prisoner, bought it. I ask'd them how they came to bring their Loins of Mutton home with Suet? she said they sold the Suet to the Tallowchandlers.

Q. Have you nothing to say to young *Hussey?*

Collins. No, my Lord, she was a-bed with the old Woman.

George Masters. I am a Servant to Mr. *Cherry.* The Prisoner took the Breast of Mutton and Loin with the Hook in it; I saw the Hook move. When I went to her, and lifted up her Cloak, three Loins of Mutton tumbled out of her Lap.

Q. What have you to say to the old Woman, the Prisoner, *Otaway?*

Masters. Mr. *Collins* charg'd *Hussey* with the Watchman, and she told every Thing; that it was in this House. *Hester Hussey* Guilty; the Accessories Acquitted.

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157. **Mary Brown** was indicted for stealing four Harateen Curtains, a Dimity Petticoat, a Pair of Woollen Breeches, six Silver Tea-Spoons, six Pewter Plates, a Pewter Dish, a Copper Coffee-Pot, a Copper Stew-Pan, a Silk Gown, a Crape Gown, a Looking-Glass, two China Punch-Bowls, a Box-Iron, a Copper Tea-Kettle, a Linnen Sheet, a Copper Sauce-Pan with a Copper Cover, a Camblet Petticoat, and three Blankets; the Property of *James Steward*, from his Dwelling-House in *New Hermitage-Street*, the 13th of *March*.

Q. (*to Jane Steward*) Are you the Wife of *James Steward?*

Steward. Yes, my Lord.

Q. Where is your Husband's House?

Steward.

Steward. In *New Hermitage-Street.*

Q. Did your Husband lose any Goods from thence?

Steward. Yes, my Lord; they were my Husband's to be sure.

Q. When were these Goods lost?

Steward. They were lost between the last Day of *October* and the 7th of *March.*

Q. Pray in what Manner were they lost? How came you to suspect that the Prisoner took them?

Steward. Because, my Lord, I left her in the House.

Q. Do you carry on any Business there?

Steward. She (the Prisoner) came to lie with me, either in the latter End of *May*, or the Beginning of *July*; a Neighbour brought her to lay with me, and I could never get her away; but I never saw any of her Money. In the latter End of *October* last I went to *Hull*, to meet my Husband, as he is a Sea-faring Man; she (the Prisoner) comes in with a Paper in her Hand, and said, I have a Paper come up from *Cornwall*, to make you easy and myself too. I said, I shall be gone before *Saturday* Night; and I said to Mrs. *Brown*, I have serv'd you before now, and oblig'd you; Now will you oblige me, in looking after my House while I am gone, as my Maid is so young; I said, if it suited her Convenience? She promis'd she would. I gave her 10s. and said, Will that be enough 'till that Time you have your Money? I went away that very Night. The next Day after that I was gone, Mr. *Canedy* and his Wife return'd, (they had been out of Town, and use to lodge with me) she said to them, the Case was alter'd, and she put the Man and his Wife upon a Flock Bed, and gave them nothing to eat. The Prisoner refus'd to let them have the Bed they us'd to lie on.

Q. Did you not hear from the Prisoner all this Time?

Steward. I had two Letters, and no more, and very kind ones they were. When my Husband and I came home, we were surpriz'd to see the House in such Distraction; and she has been an Instrument of making a Difference between me and my Husband.

Q. Did you see the Prisoner after this?

Steward. Yes, and desir'd her to tell me where my Goods were. At last she own my Crape Gown and some other Things were pawn'd, and some carried out for fear of Fire.

Court. According to the State of Things this appears only to be a Breach of Trust. We believe, good Woman, you have been very much wrong'd, and the Prisoner is open to the Law, but not to a criminal Prosecution. Acquitted.

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158. **Anne Debidy** was indicted for stealing one Silver Spoon, Value 12 s. the Goods and Property of *William Hands*, the 11th Day of *March.*

Q. *(to William Hands.)* What have you to say against the Prisoner?

Hands. She is the Person that stole my Spoon.

Q. Where did you lose it from?

Hands. From my House in St. *Giles's.*

Q. How came you to suspect that the Prisoner had it; did you take her up?

Hands. Yes; but I could not find the Spoon upon her; for this Woman, the Prisoner, employ'd a Woman to go to pawn it.

Q. Do you know it of your own Knowledge?

Hands. She own'd it in the Cells last Night that she took it.

Q. *(to the Prisoner.)* What have you to say?

Prisoner. I did not own to him that I took it.

Q. *(to Elizabeth Hands.)* What have you to say?

Elizabeth Hands. She (the Prisoner) stole the Spoon, she own'd it Yesterday; besides, she took it out of the Kitchen, there was no other Person there; I saw it, and in less than a Quarter of an Hour it was missing.

Q. How do you know any other Person was not in the Kitchen?

Elizabeth Hands. There was not.

Q. Was she your Servant?

Elizabeth Hands. She spun for me.

Q. Who was it pawn'd to?

Elizabeth Hands. To *Thomas Brown.*

Q. Who pawn'd it for her?

Elizabeth Hands. *Anne Whiting.*

Q. *(to Anne Whiting.)* Look upon the Prisoner at the Bar. What do you know of her having a Spoon of *William Hands.*

Whiting. She brought me the Spoon, and desir'd me to carry it to pawn for Half a Guinea; she told me she came very honestly by it, and I carried it to a Pawnbroker; I ask'd them Half a Guinea for it, and they stopt me and had me before Justice *De Veil:* She own'd before the Justice that she gave me the Spoon; she said the Gentlewoman gave it her, Mrs. *Hands.*

Q. *(to Elizabeth Hands.)* Did you give it to her?

Elizabeth Hands. No, Sir.

Q. (to

Q. *(to Whiting.)* Is that the ſame Spoon that was brought to you to pawn?

Whiting. Yes, Sir.

Q. *(to the Priſoner.)* What have you to ſay for yourſelf? Have you any Witneſſes?

Priſoner. No.

Q. *(to Thomas Brown.)* Did the Witneſs pawn the Spoon to you?

Brown. Yes, my Lord. Guilty.

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159. **John Bramſton** was indicted for ſtealing 23 Pounds of Gold and Silver, belonging to —— *Houblon*, the 21ſt of *March*.

Mary Houblon. I was robb'd.

Q. When?

Houblon. The laſt was the 21ſt of *March*.

Q. What was you robb'd of, Madam?

Houblon. Twenty-two Guineas and five Shillings and Six-pence.

Q. How much did he refund?

Houblon. Eighteen Guineas.

Court. I ſuppoſe you expect no more to be refunded?

Houblon. No.

Court. Then he confeſs'd to you, Madam, and before Sir *Thomas De Veil?*

Houblon. Yes.

Q. (*to the Priſoner.*) Would you have the Lady ask'd any Queſtions? Have you any Witneſs to call? What have you to ſay for yourſelf?

The Priſoner deſir'd that his Maſter would give him a Character.

His Maſter, with a great deal of Good-nature, did ſay, the Priſoner was ſearch'd, and a great deal of Money was found upon him. Guilty.

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160. **John Farley** was indicted for ſtealing 80 lb. Weight of Leaden Pipe, from the Houſe of *John Corbin*, the 28th of *February*.

Q. (*to John Corbin.*) Give an Account of what you know of this that *Farley* is charg'd with, of ſtealing Lead from your Houſe, I think it is in *Fiſhers-Alley, Petticoat-Lane*.

Corbin. There was about nine Yards of Leaden Pipe taken away, between Eleven and Twelve o'Clock at Night.

Q. Where was this Lead?

Corbin. It was put under Ground to bring Water up to ſome Houſes of mine.

Q. In whoſe Occupation are they?

Corbin. One Mr. *Nicholas*, a Tenant the Corner of the Alley.

Q. How much was taken?

Corbin. Nine Yards was taken, and three Yards were found upon this Man, the Priſoner.

Q. Was you preſent?

Corbin. No, my Lord; but Mr. *Nicholas* was.

Thomas Nicholas. The 21ſt of *February* I detected them in digging the Pipe, between Seven and Eight o'Clock; I ask'd them what they were doing? They ſaid they were digging Pipe out of Water; that they did not pay for the Water. I was forc'd, with a great many Words, to prevent them digging. The 28th of *February* they came again; I got the Watchmen to my Aſſiſtance, and I took the Priſoner at the Bar with the Pipe upon his Back.

Q. What Pipe was it?

Nicholas. A Leaden Pipe that brings the Water up to my Houſe.

Q. *(to the Priſoner.)* Will you ask the Witneſs any Queſtion? He ſays, he took you with this Leaden Pipe upon your Back, that you had taken from the other Part of the Pipe. Priſoner, now is your Time to make your Defence.

Priſoner. Pleaſe you, my Lord, I was going home out of *Whitechapel* in *Petticoat-Lane*; it was very dark in the Foot-way; I ſtumbled upon this Pipe; ſtumbling upon it, I took it up, and was carrying of it home.

Q. (*to the Priſoner.*) Have you any Witneſſes?

Priſoner. Pleaſe you, my Lord, I have nobody to ſpeak but myſelf. Guilty.

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161. **Alexander Patte** was indicted for ſtealing two Silver Spoons, Value 10 s. the Goods of *Robert Woodifield*, the 12th Day of *February*.

Q. (*to Robert Woodifield.*) What do you know of theſe Spoons?

Woodifield. I loſt one in *January* laſt, and the other in *February*; and they were pawn'd at Mr. *Brown*'s Shop. I advertis'd them, and Mr. *Brown* brought them.

Q. Do you know any thing of the Priſoner at the Bar?

Woodifield. Yes, my Lord, I took him to my own Houſe, and he own'd the Fact.

Q. Did you take the Priſoner with them both?

Woodifield. He carried the ſecond to Mr. *Brown*, and he ſtopt him.

Q. What do you know of the Priſoner at the Bar?

Woodifield.

Woodifield. I took him before the Juſtice, and he own'd the taking of the Spoons; he ſaid, that it was thro' great Neceſſity that he did it, and that he never did any ſuch Thing before.

The Priſoner was a Foreigner, and ſpoke by an Interpreter.

Interpreter. My Lord, he ſays he only borrow'd the Spoons.

Court. Aſk him if he will aſk the Proſecutor any Queſtions.

Interpreter. He has no Queſtions to aſk.

John Brown. The Priſoner came to my Houſe the 12th of *February*, and brought this Spoon I have in my Hand. I ſaw ſomething fil'd on the back Side of the Spoon, which made me have ſome Suſpicion, or I ſhould not, for I have known the Man for three or four Years. He ſaid that it was his own. I advertis'd the Spoon, and ſeveral People came, but none came up to the Marks of it: After that I ſaw an Advertiſement of Mr. *Woodifield*'s. I went to Mr. *Woodifield*'s with the two Spoons, and Mr. *Woodifield* compar'd them with ſome other Spoons, and we match'd the *Silverſmith*'s Mark; we compar'd them with ſome other Spoons of theirs, and found that they tallied exactly. I deſcrib'd the Perſon I had them of; they ſaid he came to their Houſe very often. The ſame Day he came again; upon that they ſtopp'd him, and he own'd he took the Spoon, and ſaid it was pure Neceſſity put him upon it. When he went before the Juſtice, he own'd the ſame, and ſeem'd very ignorant of the Nature of the Crime.

Court. That's the Spoon you are ſure you had from this Man?

Brown. Yes.

Court. Now, tell him, is his Time to make his Defence, and call any Witneſſes if he can.

Interpreter. My Lord, he ſays the Gentleman that keeps the Tavern in *Pall-Mall* would ſpeak for him, and that ſeveral would have appear'd for him, if they had known of his Trial coming on.

The Proſecutor gave the Man a very good Character, and believ'd it was mere Neceſſity, that he had a ſick Wife, *&c.* and he offer'd to take him into his Houſe himſelf. Guilty.

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162. **John Hurſt** was indicted for ſtealing 28 Yards of Linnen Cloth, Value 28 s. 1 lb. of Thread, Value 2 s. 4 d. the Property of *Henry Leigh.*

Q. (*to Leigh*) What have you to ſay about the Priſoner's ſtealing ſome Thread?

Leigh. I have to alledge againſt him ſtealing that Thread, and a Piece of Cloth, which I miſs'd, and found miſlaid in an improper Place.

Q. What Buſineſs are you?

Leigh. A Mancheſter Warehouſe-keeper and Linnen-draper.

Q. What was it you miſſed?

Leigh. A Piece of Iriſh Cloth. Upon miſſing that Cloth I examin'd all my Servants; upon the Evening of that Day I diſcovered this Man had laid it out of its Place; and in the Evening of that Day *John Hurſt* had endeavoured to throw it upon ſeveral of my Servants, in order to excuſe himſelf. In examining him about the Piece of Cloth that he had carried out, I aſk'd him how he came by that Cloth; he ſaid he had bought it of an *Iriſh* Merchant's Servant about a Month before, and he had it away about a Week before, and I aſked him whether he could produce the Piece of Cloth; he ſaid he could. After he produced the Cloth, I aſked him how it came to have my Mark upon it; then he ſaid it was a Piece of Cloth that he bought of me a Twelve-month ago

Q. So he produced it, did he?

Leigh. No, my Lord, we had it by another Diſcovery; we found Part of it in the Houſe of one Mrs. *Morris*, and Part of it in the Houſe of one Mrs. *Winter.*

Q. (*by the Council for the Priſoner*) *to Leigh.* This Man has lived with you for ſometime, has he not?

Leigh. Yes.

Council. Then you can account for ſome Money that he has: Don't you know that he has an Annuity beſides? Did you find that in his Box? Had he never any Cloth of you for which he paid?

Leigh. Yes.

Council. And I ſuppoſe he might have had more.

Leigh. He might have had any Quantity, becauſe we never reſtrain any Body.

Council. Can you ſay you don't believe he would have paid you for it? Did he ſay that he had ſtole it? that he had taken it out of the Houſe, contrary to his Duty, and what he ought not to do? Did he confeſs before the Juſtice that he had ſtole it?

Leigh. Yes, he did confeſs, Sir; he would not confeſs any Thing elſe but this. I found the Pound of Thread, and I found Part of the Cloth in his Box. I found this in Mrs. *Morris*'s Houſe [The Piece of Cloth produced in Court] We aſk'd him if he had taken it out of the Houſe in an unlawful Manner.

Q. Are you ſure it was your's?

Leigh. Yes, I can ſwear 'tis my Cloth.

Q. (*to Morris.*) What do you know of this Matter?

Morris. The 20th of *March* was the firſt Time I ever ſaw this Man; he ſaid he had lived two Years with this Gentleman, and he owed him two

Years Wages, and that his Maſter had charged him with robbing him, and had taken twenty-three Pounds out of his Box and Pocket, and he left this Cloth in my Houſe. I aſked this young Man how he came to bring this Cloth from his Maſter's; he aſked me if I could recommend him to a Lawyer: On Monday his Maſter came with a Search Warrant, and found the Cloth there.

Q. (*to Heſter Winter*) What do you know of this Affair?

Winter. Sir, What I know of this Man is, the Priſoner brought ſome Cloth to make a Shirt.

Q. How much Cloth did he bring to you?

Winter. A Shirt ready cut out, how much I cannot ſay.

Q. How much Cloth did he bring to you? Was there only Cloth enough for one Shirt?

Winter. Yes.

Q. And did you make it into a Shirt?

Winter. I had begun it, but this other Gentleman carried it away, that which was produced in Court was brought to me.

Q. (*to Leigh.*) That was your Cloth?

Leigh. Yes, my Lord, it was.

James Goodyer. What do you know of this Affair?

Goodyer. All that I have to ſay, I went with my Maſter with a Search-Warrant, and found one Part of the Cloth at Mrs. *Morris*'s, and the other at Mrs. *Winter*'s. The Priſoner's Aunt ſaid, that he had brought three or four Shirts, but carried them off again.

Q. Where did you find this Shirt?

Goodyer. We found it, my Lord, upon the Bed.

Q. Did you hear the Priſoner ſay how he came by this Cloth after he carry'd it to Mrs. *Morris*'s and Mrs. *Winter*'s? Do you know that to be your Maſter's Cloth?

Goodyer. Yes, I believe this is my Maſter's Cloth.

Q. (*to William Williams.*) How long have you known the Priſoner at the Bar?

Williams. About five Years; he has a very honeſt Character, to the beſt of my Knowledge; he work'd under my Direction for two Years; is a very honeſt induſtrious Man; I never heard him charg'd with any thing.

Q. (*to Thomas Holt.*) How long have you known the Priſoner at the Bar?

Holt. Between four and five Years.

Q. Do you know what Buſineſs he has been in all that time?

Holt. I have known him to be in the Lead Buſineſs.

Q. How did he behave?

Holt. I never heard but he behav'd always well.

Q. What Wages had he in the Lead Buſineſs?

Holt. I paid him 10 s. a Week.

The Council for the Priſoner urg'd that it was no more than a Breach of Truſt, as he was a Servant in the Shop. Guilty.

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163. **Elizabeth Henſworth** was indicted for ſtealing one Cotton Gown, value 2 s. four Linnen Caps value 2 s. and two Silver Tea Spoons value 1 s. the Goods of *John Ruſſel.*

Q. (*to Ruſſel*) Had you any Goods ſtolen from you?

Ruſſel. Yes, my Lord.

Q. When was it?

Ruſſel. On *Thurſday* the 13th of *March.*

Q. What did you loſe?

Ruſſel. A ſtrip'd Cotton Gown, one Cloak, a Woman's Cap, a Child's Cap, a Shirt, *&c.*

Q. Were they ſtolen?

Ruſſel. Yes.

Q. Do you know who ſtole them?

Ruſſel. It appears to me to be *Elizabeth Henſworth*, the Girl in the Houſe; ſhe was to be ſuch, and officiated as ſuch: She got up that Morning with an Intent to go to Waſhing, as ſhe told her Miſtreſs, about Five o'Clock; about Six o'Clock, I was ſurpriz'd by the knocking and thundering at my Door; there was a Boy come to my Shop for Goods: At that Hour in the Morning we found the Door ſtanding a-jar. I came down, and a Perſon I ſaw in the Street ſaid I had left my Door open; when I came down there was no Fire, nor no Appearance of Waſhing.

Q. Did you find the Girl in the Houſe.

Ruſſel. No. I went up and told my Wife; ſhe aſk'd me if I ſaw any Thing miſſing; I miſs'd ſeveral Things. Then I conſulted what I ſhould do, as the Girl could not be found; I went to a Broker's and diſcover'd ſome of the Things.

Q. What did you diſcover?

Ruſſel. I diſcover'd two Caps and a Shirt. I went about to a great many Places, and heard no more of them 'till Ten o'Clock; a Broker came to me, and he ſtopp'd the Girl by offering a Cap of my Wife's. When I came to the Pawnbroker's I ſaw it was the Girl that was with me: She had a Woman with her, and another in the Street.

Court.

Court. Pray give an Account of the Things that you have a Witneſs here to prove, the Things that were found upon the Girl.

Ruſſel. The two Caps were left with Mrs *Turner*; The Cotton Gown, and ſeveral other Things, were pledg'd with Mr. *Tayler.*

Q. (*to Mary Turner*) Do you know any Thing of ſuch Goods as have been mention'd?

Turner. On the 13th Day of *March* the Priſoner brought a Child's Cap; ſhe ſaid it was her Siſter's; I look'd down Stairs to ſee how ſhe was dreſs'd.

Court. Priſoner, do you hear what Mrs. *Turner* ſays; and *Ruſſel* ſays he loſt ſome Linnen out of his Houſe, and ſhe ſays you brought ſome of thoſe Things to her to pawn.

Priſoner. Sir, I did not give them to her herſelf.

Q. Mrs. *Turner*, are you ſure the Priſoner was the Perſon that brought theſe Things to you?

Turner. I juſt had a Glimpſe of her; I believe 'tis; but my Maid ſays ſhe ſhould not know her if ſhe ſhould ſee her.

Robert Tayler. The 13th of *March* laſt the Perſon was brought to me, (the Priſoner at the Bar) but there is a vaſt Alteration; for ſhe was then dreſs'd vaſtly clean. She brought to my Shop one Gown, an Apron, and a Piece of Stuff-Damaſk, and there was another Woman with her. She wanted 12 s. for it, I told her I could not lend her ſo much upon it; then when ſhe came again I aſk'd her whether they were her own, and ſhe ſaid they were her Siſter's.

Q. Who made you that Anſwer?

Tayler. I think the Priſoner at the Bar: I am ſure ſhe is the Perſon.

Q. Where are them Things; are they here?

Tayler. Yes, my Lord.

[The Things were produced in Court]

Q. (*to the Proſecutor*) Where had you theſe Things?

Proſecutor. At the Juſtice's Houſe.

Q. (*to the* Pawnbroker) Were theſe the Things that were produced at the Juſtice's Houſe; were theſe the Things that were in Pawn?

Tayler. Yes, my Lord.

Q. (*to Ruſſel*) Were theſe the Things that were ſtole out of your Houſe?

Ruſſel. Yes, my Lord.

Q. (*to the Priſoner*) Have you any Witneſſes to call?

Priſoner. No, Sir. Acquitted.

164, 165. **Eleanor Bennet** and **Anne Smith** were indicted for ſtealing four Woman's Gowns, a Pair of Stays, &c. the Goods of *Thomas Smith.*

Sarah Smith. Pleaſe you, my Lord, my Cloaths were ſtole the laſt Day of *February*, between Seven and Eight o'Clock at Night.

Q. What Cloaths?

Smith. Four Woman's Gowns, a Pair of Stays, two Quilted Petticoats, and other Things.

Q. Where were they taken?

Smith. Out of a Box in my Room.

Q. Where is your Room?

Smith. In *Brewer-Street*, at one *Thompſon*'s, a Peruke-maker. The Things were taken by *Eleaner Bennet* and *Anne Smith.*

Q. What are theſe two Priſoners?

Smith. Sir, they pretend to be Quilters; they pretend to go out to work. I know one of them, the other is Couſin to her; the biggeſt of them is *Anne Smith.*

Q. How did they get into your Room?

Smith. There is an old Woman in the Neighbourhood I look after; I go about two Hours every Evening; while I was with her they got into my Room; I had the Key in my Pocket; whether I miſlock'd it I cannot tell. When I came home I found my Box broke open; a Gown and a Shift were in the Box I found unlock'd.

Q. How did they contrive to open your Box?

Smith. That I cannot be Judge of; I had the Key of my Door in my Pocket, and the Keys of the Box likewiſe; but when I came home I found both open.

Q. How long was you out?

Smith. I was out from half an Hour after Six to Eight, as I am every Night, with the Gentlewoman I look after.

Jane Hibard. I bought the Coat of the biggeſt of the Priſoners, *Anne Smith.*

Q. Where is this Coat?

Hibard. The Conſtable has it.

Q. (*to George Batchelor*, Conſtable.) Where had you this Coat?

Batchelor. I had it of the Priſoner.

Q. Which of the Priſoners?

Batchelor. The talleſt, *Anne Smith.*

Court. Produce it, and ſhew it to the Woman that it belongs to.

Q. (*to Hibard.*) Is that the Coat you bought of *Anne Smith*?

Hibard. Yes.

Q. (*to Sarah Smith.*) Is that your Coat?

Smith. Yes, my Lord.

Q. (*to Mary Etty*) What have you to ſay?

Etty. I have known *Anne Smith*, my Lord, above a Year and half; ſhe liv'd in *Orange-Street*; ſhe

ſhe has been backward and forward to my Apartment; I have often Things of other People's, but never found ſhe wrong'd me. The other Priſoner ſtole two Hoods from me.

But moſt of the Things being found upon the Priſoners, or pawn'd by them, they were both found guilty. Tranſportation.

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166. **Elizabeth Foot** was indicted for ſtealing four Napkins, two Shirts, five Table-Cloths, a Holland Apron, a Sheet, twelve new Pewter Plates and a Braſs Mortar, the Goods of *William Parran*, on the 13th Day of *March*.

Q. (*to William Parran.*) What have you to ſay againſt the Priſoner?

Parran. She has ſtole ſeveral Things from me.

Q. Do you know any thing of five Linnen Table-Cloths, Napkins, *&c.*

Parran. Yes.

Q. What do you know of the Priſoner's having them?

Parran. They were found at the Pawnbroker's, one *Perry*.

Q. What was found with *Perry*?

Parran. I have a Liſt in my Pocket-Book: Four Napkins, two Shirts, five Table-Cloths, a Holland Apron, a Sheet, twelve new Pewter Plates, and a Braſs Mortar.

Q. Where were they pawn'd?

Parran. At one *Perry*'s in *Shepherd-Street*; the Priſoner own'd that ſhe had pawn'd the Things there.

Q. Is that all you heard the Priſoner ſay? Did ſhe own the Things?

Parran. Yes, ſhe own'd the Things were ſtole from me, and ſeveral more that were not pawn'd there: I had a Warrant from Juſtice *De Veil* to ſearch the Houſe of the Pawnbroker. Both *Perry* and his Mother offer'd to ſwear that ſhe had ſeveral of the Things away that we afterwards found there.

Q. (*to John Perry.*) Are you a Pawnbroker?

Perry. Yes, my Lord. The Priſoner at the Bar brought Goods to me backward and forward; he has often employ'd the Priſoner at the Bar to bring Things backward and forward to our Houſe.

Q. (*to the Proſecutor.*) What Buſineſs are you?

Parran. I am at preſent out of Buſineſs; I kept the *Black Bear* in *Piccadilly*.

Q. (*to Perry.*) How came you to receive theſe Goods?

Perry. She brought them backward and forwards. Here, my Lord, is a Riding Habit and a Cotton Gown.

Parran. Thoſe are none of the Things.

Q. (*to Perry.*) Where are thoſe Goods that were pawn'd to you, that the Priſoner ſtands indicted for?

[They were produced in Court.]

Q. What was it that you lent upon them?

Perry. I believe 18 or 19 s.

Q. (*to Parran.*) Are theſe the Goods you loſt?

Parran. Yes, my Lord.

Q. I aſk you, Proſecutor, upon your Oath, did you not employ this Girl to pawn Things for you? Did you not employ her to carry any of theſe Things for you?

Parran. No.

Q. (*to the Priſoner.*) Will you aſk the Witneſs any Queſtions?

Priſoner. My Maſter uſed to employ me to carry Things there to pawn, my Lord.

Q. (*to Richard Marſhall*, Conſtable.) What do you know of this Affair?

Marſhall. I had a Search Warrant to ſearch the Houſe of Mr. *Perry* for theſe Goods; I went to Mr. *Perry*'s Houſe and found all theſe Goods there.

Q. Did you hear the Priſoner ſay how ſhe came by them?

Marſhall. I aſk'd her particularly about every Parcel of Goods; ſhe ſaid thoſe Things that were mention'd were ſtole from her Maſter unknown.

Q. Did not the Pawnbroker deny the Things at firſt?

Marſhall. He ſaid he did not know he had any ſuch Things; but I ſaid I muſt ſearch; ſo I went to ſearching, and he brought ſome Things and deny'd ſome others, particularly the Dozen of Plates.

Q. (*to Perry.*) How came you to deny theſe Things?

Perry. Becauſe ſhe had fetch'd them three or four Days or a Week before, and we did not think they had been brought again; they had not been there above two or three Days by the Marks.

Court. Priſoner, now is your time to make your Defence. Have you any thing to ſay? Have you any Witneſſes to call?

Margaret Foot. This was the firſt Fact ſhe ever committed; ſhe always behav'd very well, no body could come againſt her for any thing in this World 'till now. She is my own Child. Guilty 39 s.

*** The great Length of many extraordinary Trials this Seſſions makes it abſolutely neceſſary to publiſh them in two Numbers, the latter of which will be publiſh'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 9th, THURSDAY the 10th, and FRIDAY the 11th of *April*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Fourth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

PART II. NUMBER IV.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

[Price Six-pence.]

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

167. WILLIAM Askew was indicted for ſtealing a large Silver Tankard, Value 10 l. a Pint Silver Mug, Value 4 l. twelve Silver Tea Spoons, Value 12 s. a Silver Strainer, Value 1 s. 6 d. a Silver Pepper-Box, Value 18 s. and a Pewter Milk-Pot, Value 9 d. the Goods of *Charles Appelby* the Elder, on the 22d of *March*.

Council for the Proſecutor. Pleaſe your Lordſhip and the Gentlemen of the Jury, I am Council in the Cauſe againſt the Priſoner at the Bar, *William Askew*, who is charg'd with Felony committed in the Houſe of *Charles Appelby*, to whom he was a Journeyman. Gentlemen, the Facts we have to lay before you are all Circumſtances, and ſeem to be ſuch as we cannot err in, when they are laid all together. There is nothing of a poſitive Proof, neither was he taken in Means, as the Law calls it, in having any Goods found upon him; but as 'tis on Circumſtances the Affair entirely depends, I ſhall ſubmit it to the Court, whether they are ſo ſatisfactory as to convince you that this is the Man who robb'd his Maſter. As the Caſe is repreſented to me, by Mr. *Appleby*, Braſier, in *Harp-Alley*, the Priſoner's Bed, Gentlemen, was placed in the Shop, pretty near a little Room by the Parlour; it lies ſo near the Doors that 'tis impoſſible for any one to make the leaſt Noiſe without waking the Perſon who lies in that Bed. On *Friday* Night, the 21ſt of *March*, young Mr. *Appelby* coming home very late, between Eleven and Twelve o'Clock, he look'd about, as he commonly does, to ſee if all Things were ſafe, and at that Time they were ſo. His Father and Mother lay up one Pair of Stairs and his Siſters up three; young Mr. *Appelby*'s Room was up two Pair of Stairs, and only this Servant on the Ground Floor, who was ſuppos'd to be in Bed cloſe by the Parlour. Some time after Twelve the Watchmen beat their reſpective Rounds, when the Door was ſafe, and continued ſo 'till a little after Four, at which Time the Watchman diſcover'd it open and went into the Shop, who, ſeeing the Priſoner at the Bar, aſk'd him the Meaning of it; oh, ſays he, nothing at all, a ſmall Matter, I ſuppoſe ſome of the Family are gone out; though, as the Door had been open'd, it could not be done without his Privity; but he ſhuts the Door again and takes no other Notice of of it. When the Porter came in the Morning, as uſual, to open the Shop, he went into the Parlour and diſcover'd the Eſcritore had been forced open: Afterwards, upon ſearching the Priſoner's Box, an old Nailpiercer, newly fil'd up, was found, which appear'd to be a very proper Inſtrument for forcing thoſe Locks and Bolts. If any Stranger, Gentlemen, had done this, 'tis extreamly odd that the Servant, intruſted in the Family, ſhould take no Notice of it, not alarm them. There is another Circumſtance, *viz.* a croſs, crabbed Dog, as ſurly perhaps as any in Town, which this Brazier keeps for the Safety of his Shop, and will hardly ſuffer any Stranger to come into the Shop in the Day Time, and much leſs in the Evening, without giving an Alarm; and this Dog was then within the Houſe. The Maſter of the Family, the four Daughters and Son were alſo within. Theſe can hardly be ſuppos'd to be Partners with the Man in robbing the Houſe, there being no Maid Servant there at this time. The Noiſe that muſt have been made by the Violence us'd in the forcing the Place where the Plate was ſecur'd, could not but awake any one who lay ſo near, unleſs he had been ſo found aſleep as not to be awakened even by the Noiſe of a Gun. Gentlemen, this

this is the Nature of the Caſe, and the Queſtion is, whether there be any ſatisfactory Evidence to convince the Court and you in Point of Law, that the Man is guilty.

Q. Have you not a Dog?

Appelby. Yes. We have got a good middling ſiz'd Dog; when any comes to the Door he makes ſo great a Noiſe, that the Watchman ſaid he would kill it.

Council for the Priſoner. Mr. *Appelby*, are you the Son of Mr. *Appelby*, the Proſecutor; you know the Defendant; how many Months has he liv'd with your Father; how did he behave during that Time; how did he behave always?

Appelby. He always behav'd very well, 'till this very Affair happen'd.

Q. Did he uſe to go out often?

Appelby. No. He us'd to go out about once a Week. He lays in the Shop; only a Partition between the Parlour and the Shop.

Q. Does any Body lie up one Pair of Stairs?

Appelby. Yes.

Council. You mention the Flap of the Buroe broke open, and the Cloſet broke open: I would aſk you whether the Priſoner knew where your Plate was kept?

Appelby. Yes. I don't doubt, as well as we did.

Council. You ſay the Cloſet Door was broke open, and the Priſoner knew where your Plate was: You ſaid there was not Plate uſually kept there. Was there any Money frequently kept there?

Appelby. That Afternoon I took almoſt 12 l. out of the Scrutore; which no Doubt they would have taken.

Council. Pray Mr. *Appelby* where does your Parlour look into.

Appelby. The one Part into the Shop; the other into the Burying Ground.

Council. You ſay there muſt be a great deal of Violence us'd, but none of the Family heard any Thing of it.

Mr. Serjeant ſays, that at Four o'Clock in the Morning, when the Door was diſcover'd to be open, none of the Things mention'd in the Indictment were found upon this young Man at the Bar. Pray do you know any Thing of this Advertiſement in the Papers?

Appelby. Yes Sir. It was by my Father's Orders.

Council. And did you find your Journeyman in Bed when you came down Stairs: You ſay he always gets up to let the reſt of the Workmen in; then he was in; was he dreſs'd, or half dreſs'd when you came down?

Appelby. I was in ſuch a Surprize I did not look after him.

Q. Who faſtned the Door?

Appelby. The Priſoner faſtened the Door, and I felt of the Bolt and Things afterwards.

Counsel. What Time was you in?

Appelby. About Twelve, or a Quarter after.

Council. So then I find the Priſoner keeps better Hours than you.

Q. (*to* ——— *Godyn*, Watchman) Do you beat the Rounds at *Harp-Alley?*

Godyn. Yes, I went every Hour.

Q. Do you remember the Time when it was ſaid the Houſe was robb'd?

Godyn. I was the Round every Hour in the Night. I went the regular Round every Hour.

Q. Did you beat at this Door of Mr. *Appelby*'s?

Godyn. Yes.

Q. How long can you venture to ſay it was ſhut faſt?

Godyn. It was ſhut every Hour I went my Rounds.

Council. You beat it 'till Six o'Clock?

Godyn. Yes.

Q. (*to Jonathan Perkins.*) What Diſcovery did you make?

Perkins. About half an Hour after Four I was going down to the Watch-houſe with my Lanthorn, and going through *Harp-Alley*, I ſaw the Door a little open. I went in and ſaw a Man in Bed, and bid him get up. I ſaid get up and faſten the Door, the Shop is liable to be robb'd: I went up to the Bedſide, made the Man to get up, and he got up out of his Bed, and faſtned the Door.

Q. Was the Man awake or aſleep?

Perkins. The Man anſwer'd me readily enough then; he ſaid he ſuppos'd there might be ſomebody juſt gone out.

Q. Did you ſee or hear any Thing of a Dog?

Perkins. There was never a Dog bark'd at me.

Council. You went into the Shop, and made a Knock with the Watchman's Staff juſt by his Bedſide? You made a Thump with your Staff, upon that the Perſon anſwer'd; he did not, upon your coming firſt into the Shop, Cry, *Who is this?*

Perkins. No.

Council. Only give me Leave to aſk you, whether the Priſoner was without his Cloaths?

Perkins. He was.

Council. He had nothing but his Shirt on?

Perkins. No, nothing elſe.

Council.

Council. Then you went out?

Perkins. Yes, but before I had got the Length of my Cane, he got up and faſtned the Door.

Council. (to Ed. Cordel.) They tell me you are Porter to Mr. *Appelby.*

Cordel. Yes, and when I came in the Morning, a Quarter after Six, as ſoon as I knock'd, my Fellow Priſoner got out of his Bed, and let me in; and I ſaid this Flap was open for ſomething laſt Night: I aſk'd him for what, he ſaid he forgot: I puſh'd up the other Flap, then I went my Ways into the Parlour to unbolt the Parlour Window; then I ſaw my Maſter's Buroe, and Cupboard, by the Fireſide, broke open, and I ſaid to the Priſoner, *William*, Did my Maſter leave his Buroe ſo laſt Night? he ſaid I don't know.

Q. Did you examine about the Houſe? Did there ſeem to be any Force uſed in any Part of the Houſe?

Cordel. There was nothing but the Flap hung looſe over the Street Door; with that we went down into the Cellar.

Council againſt the Priſoner. I am ſurpriz'd you ſhould lie ſo near to this Parlour, and not hear any Thing of it.

Council for the Priſoner. You would not have the Man hang'd for being faſt aſleep?

Council. No; I ſhould be as tender of that as you are.

Court. The Flap you ſay hung looſe?

Cordel. He ſaid the Flap was left looſe laſt Night.

Q. As you have lived with Mr. *Appelby* all this Time, have you known the Priſoner?

Cordel. Yes, but I never ſaw any Injuſtice by him, or any Thing of that Kind.

Q. Was he up when he let you in?

Cordel. No, my Lord, he was in his Shirt.

Q. Now pray what Time of the Night is Mr. *Appelby*'s Shop kept open?

Cordel. They are ſhut in between Seven and Eight o'Clock.

Q. Might not a Perſon be conceal'd there?

Cordel. No, I believe not; for commonly my Maſter, or young Maſter, are near the Door.

Council. (to Mr. Appelby the Elder) What is your Family?

Appelby. Only my Wife and Self, this Son and four Daughters; no Servant but the Priſoner.

Q. What Part of the Houſe do you lie in?

Appelby. Two Pair of Stairs forwards?

Q. Was you apprehenſive of any Diſturbance?

Appelby. I knew of none.

Q. Can you tell that your Houſe was ſafe?

Appelby. Yes, all was ſafe.

Q. Is there any of your Family that lie ſo near to this Room as you?

Appelby. None ſo near as myſelf.

Council. I would aſk you whether it was poſſible for any one to come into that Room, to do any Thing without being heard by the Man in Bed?

Appelby. I think not; then I think there is another Thing, the boldeſt Rogue would hardly come by that Bed, which they could ſcarce get by, and if they did, he might have immediately gone out and call'd the Watch.

Council. (for the Priſoner.) Mr. *Appelby*, the Priſoner has liv'd with you four Months: I would aſk you whether he behaved in a ſober, modeſt Way?

Appelby. I believ'd him to be very ſober and honeſt.

Q. Had you any Reaſon to imagine that he could be guilty of ſuch a Crime? I would aſk whether you look upon the Priſoner at the Bar to be an artful cunning Perſon, or a low weak Capacity?

Appelby. He is not ſo ready in his Buſineſs as ſome People are; but here is a Copy of a Letter to prove that he is not a Perſon of ſo mean a Capacity.

Council. Have you not declar'd ſince, you believed the Priſoner at the Bar to be innocent?

Appelby. No.

Council. I would aſk you whether you have not offer'd any of the Priſoner's Friends, if they would give you any Thing, you would make it up? Did you ever know Mr. *Willis?* 'twas pretty late for your Son to be out? Does your Son uſually keep ſuch Hours?

Appelby. Yes, ſometimes.

Council. I am ſorry for your Loſs; I wiſh you may find out the Thief.

With your Lordſhip's Leave I am Council for the Priſoner. As the Serjeant has candidly open'd it, that there was nothing but Circumſtances, whether they were ſuch Circumſtances to take away the Life of a Man. The Perſon is indicted; it amounts to this. Here is a Perſon indicted for being aſleep. If a Perſon has any Character to ſupport him, the Jury will never believe them, unleſs there are ſome other Circumſtances. This is laid as a Crime, that a Perſon ſhall not be awaken'd by a Noiſe, as that at beſt is but a doubtful Caſe. We ſhall call our Witneſſes to prove that he is a moſt ſober and honeſt Perſon.

John

John Willis. I gave 20 l. Apprentice with the Priſoner to Mr. *Norris.*

Council. Now I would aſk you whether you had any Diſcourſe with Mr. *Appelby* before?

Willis. Mr. *Appelby* offer'd to make it up; I told him and his Wife, if he (the Priſoner) was Guilty, I would not give Six-pence to ſave him from the Gallows. He is ſecond Couſin. He is a Boy of a very ſhallow Capacity. Mr. *Appelby* gives but Seven Pounds per Year. I believe him to be innocent; he ſaid ſo before the Gentleman at my Lord Mayor's Court.

Q. How has he behaved?

Willis. Sober and well; has always been in Places; he was put Apprentice to a *Brazier.*

Q. How was it that you did not ſet him up?

Willis. I told him, if he could caſt up a Sum of 20 s. I would ſet him up.

Council. (to John Willis, jun.) Was you at that Time along with your Uncle, at Mr. *Appelby*'s?

Willis. Yes, and I ſaw Mr. *Appelby*'s Wife and three Daughters, and I think a young Man.

Council. I aſk you upon your Oath, what Mr. *Appelby* ſaid about the young Man?

Willis. When we went to Mr. *Appelby*'s Houſe, it was upon the Circumſtance of the Watchmen. Mrs. *Appelby* made a great Noiſe, and ſaid they had never ſuch a Misfortune before; ſhe ſaid Circumſtances were ſo ſtrong, that it was impoſſible but it muſt be he: I ſaid I did not know any Thing of the Circumſtances, but only I had been talking with the Priſoner at the Bar a great Part of the Afternoon, and I found from his Diſcourſe, that he muſt be a real honeſt Man; and what confirm'd me in it, that his Maſter gave him the beſt of Characters: One Circumſtance was this; one of the Maſters that he was with, his Affairs went back in the World, and he could not employ all his Hands; the Priſoner at the Bar was very induſtrious, and his Maſter was not willing that he ſhould be diſmiſſed.

Council. The Queſtion that I ask you, is, whether Mr. *Appelby* declar'd any Thing at all with reſpect to the Priſoner at the Bar?

Willis. I intended to come to it, but I'll anſwer your Queſtion. Mr. *Appelby* ſaid they were willing to make it up, if he was concern'd in it, as being drawn in from his Weakneſs; but Mr. *Willis* ſaid if he was guilty, if Six-pence would ſave him, he would not give it.

Council (to —— Norris.) Mr. *Norris*, I think the young Man at the Bar ſerv'd you ſeven Years as an Apprentice?

Norris. Yes, and he behav'd very ſuitably.

Q. How long has he been out of his Time?

Norris. Four or five Years, and I never heard any thing againſt him 'till this Time, at which I was much ſurpriz'd; I ſhould think him one of the laſt Perſons for ſuch an Undertaking; and if it was attended with any Difficulties, I don't think he could do it, for he has but a very indifferent Capacity. While he was with me he was a very ſober honeſt Man.

Council. I ſuppoſe it was in his Power to have wrong'd you very much, if it was his Inclination.

Norris. Yes, Sir.

Q. (to —— Wade.) How long have you known the Priſoner?

Wade. He work'd with me. My Husband belong'd to *Deptford-Yard.*

Q. How long ago?

Wade. Above ſix Months.

Q. Where did he go from you?

Wade. Mr. *Appelby* took him upon my Character.

Q. How did he behave in your Service?

Wade. He behaved very honeſt.

Council. Was he extravagant in his Expences? Was he very ſober? You ſay Mr. *Appelby* took him upon your Character; that is your Opinion.

Q. Do you think he could be capable of breaking open his Maſters Eſcrutore, or ſuch Things?

Wade. No, I believe not. He lived with me a Twelvemonth, all but a few Days; and I knew him about two Months before he came to live with me.

Q. During the whole Time he lived with you, how did he behave?

Wade. I never had a better Servant in my Life, for what he was capable of doing; he kept very good Hours, nobody came after him to ſpend any Money.

Q. Had you heard of this unhappy Affair?

Wade. Yes, but I cannot think he had Courage or Capacity for ſuch a Thing.

Council againſt the Priſoner. They have call'd Witneſſes to the Priſoner's Character; doubtleſs Character is a Scale to turn very much; but 'tis a wonderful Thing to me that the Plate is gone. Which way could any one get into this Houſe? This is the only Man that lay below, and was within hearing, and to be ſo very ſound aſleep! All Men are honeſt 'till they begin to be otherwiſe; but they ſay he is a Man quite contented and eaſy in Diſpoſition and Temper. We had ſome Difficulty to prove his Hand-writing; but at laſt it comes out that 'tis his Hand-writing. 'Tis plain that he

was reſtleſs and diſcontented, and it went to his very Heart, Blood and Guts of his Body, that he wanted Subſtance, and wanted Money, and would have his Uncle apply'd to, to ſet him up.

The Priſoner's general Character was ſo good, and he appear'd ſuch a plain, ſimple, honeſt Man, that he was acquitted.

His Uncle apply'd to the Court for a Copy of his Indictment.

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168. **Robert Oberbury** was indicted for ſtealing 15 s. 6 d. the Money of *John Bray*.

Q. (to John Bray.) What did you loſe?

Bray. Fifteen Shillings and Six-pence.

Q. When?

Bray. The 28th of *March* laſt.

Q. Where was it that you loſt it?

Bray. In *Long-Lane* near *Smithfield.*

Q. Do you live there?

Bray. I lodge there, pleaſe you, my Lord.

Q. Where was it taken?

Bray. Out of my Breeches Pocket, in my Room.

Q. When did you miſs it?

Bray. Not 'till *Saturday.*

Q. Did you ever find it?

Bray. I heard the Priſoner confeſs that he took it out of my Pocket, and ſpent the laſt of it laſt *Monday.*

Q. (to the Priſoner.) Will you ask this Witneſs any Queſtion?

Priſoner. No, my Lord.

Q. (to Robert Gates.) What do you know of this?

Gates. My Lord, I took the Priſoner on *Tueſday* Night, and he confeſs'd that he took the Money out of *John Bray*'s Pocket.

Court. That is all you heard.

Gates. Yes, that he had ſpent all on *Monday* Night.

Q. (to the Priſoner) Will you ask this Man any Queſtion?

Priſoner. No, my Lord.

Q. (to Alice Gates.) Do you know the Priſoner?

Alice Gates. Yes, very well; I heard him confeſs that he took 15 s. 6 d. out of the Man's Pocket, and ſpent it all.

Court. (to George Norman.) Look at the Priſoner. Did you hear him confeſs any thing?

Norman. When they ſent for me to take the Charge of him, I told him he had better confeſs if he had the Money; we might make it up without going to Priſon. He ſaid he did take the Money, and had ſpent it. Guilty.

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169. **Anne Thompſon** was indicted for ſtealing two Linnen Shirts, Value 5 s. and one Cambrick Handkerchief, the Goods and Chattels of *John Skettle.*

Hannah Skettle. The Priſoner came into my Room laſt *Friday*, and robb'd me of theſe Things the ſame Day.

Q. In what Room?

Skettle. At my Room in *Tothill-Fields*, in St. *George's* Pariſh.

Q. (to Anne Powell.) What do you know of this Matter?

Powell. I keep an open Shop, a Cloaths Shop, and the Creature, this Woman, accus'd with ſtealing two Shirts, brought them to me; I aſk'd her how ſhe came by them; and ſhe told me they were her Huſband's.

Q. Are you a Broker? When did ſhe bring theſe Shirts?

Powell. On *Friday*, my Lord; I knew the Priſoner when a Child, but I have not ſeen her for ſome Years, nor have I had any Knowledge of her.

Q. How did ſhe come by them?

Powell. She ſaid they were her Huſband's, and he ſent her into *Monmouth-Street* to ſell them; but as ſhe knew me ſhe brought them to me; they were dirty, I gave Six-pence for waſhing them. I gave her a Market-Price for them.

Q. (to Skettle.) Now tell me how ſhe came into your Room.

Skettle. The Priſoner own'd before Juſtice *De Veil* that ſhe had my Shirts.

Q. What did ſhe own?

Skettle. She own'd before the Woman, the Witneſs, that ſhe had them from my Room.

Q. (to the Priſoner.) Will you aſk this Woman, the Witneſs, any Queſtions?

The Priſoner had nothing to ſay to the Purpoſe. Guilty.

170, 171, 172. **John Dozmer, John Dunock,** and **James Bullock,** ſtand indicted for ſtealing two Pair of Mens Cloth Breeches, the Goods of *George Salway*, the 8th of *February.*

Q. (to John Pennel.) What have you to ſay againſt the Priſoners?

Pennel.

Pennel. I was at the taking of *James Bullock*, and as we were going along with him by Mr. *Salway*'s, he ſaid, that was the Place where he ſtole two Pair of Breeches from.

Court. Then he ſhew'd you the particular Houſe where he ſtole them.

Pennel. Yes, where he and two more ſtole them.

Q. Whoſe were they ?

Pennel. The Property of *George Salway*; and he ſaid, had it not been for *Dunock*'s being drunk, he ſhould have got the whole Suit; but he being drunk, run againſt the Knocker of the Door, and the People came out and ſhut it.

Q. (*to Bullock.*) Would you ask this Witneſs any Queſtion ?

Bullock. Pleaſe you, my Lord, what he ſpeaks of I am innocent of; I never ſhew'd him the Houſe.

Q. (*to John Terry.*) What have you to ſay about this Matter that concerns *Bullock?*

Terry. I am an Officer; and as I was going along with *Bullock* from *New-Priſon*, he call'd at the Taylor's Houſe; he ſaid, Madam, did not you loſe two Pair of Breeches ? The Gentlewoman ſaid Yes. Said *Bullock*, I am the Man that ſtole them ſuch a Time.

Q. Do you know any thing of the other two Priſoners ?

Terry. No, but what the other, that is *Bullock*, ſaid.

Q. (*to Bullock.*) What have you to ſay for yourſelf ?

Bullock. Pleaſe you, my Lord, I know nothing of what the Evidence ſays.

Q. (*to Bullock.*) Have you any Witneſſes ?

Bullock. Not at preſent, my Lord.

As there was no other Evidence againſt *Dormer* and *Dunock*, they were acquitted, but * *Bullock* was found Guilty.

If *James Bullock* had not been convicted by the above Indictment, there was another againſt him.

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173. **Edward Halſey** was indicted for ſtealing eleven Birds and eleven Bird-Cages, the Property of *William Wilks.*

William Wilks. I loſt eleven Birds and eleven Cages, Green-Linnets and ſeveral Sorts.

Q. When did you loſe them ?

Wilks. The 17th Day of *February.*

Q. From whence ?

Wilks. Out of my Room.

Q. Where is your Room ?

Wilks. In *New-Priſon Walk.*

Q. (*to Thomas Roberts.*) What ſay you againſt the Priſoner ?

Roberts. No further to ſay than that I bought five of the Birds and Cages.

Q. How do you know they were this Man's Birds and Cages ?

Q. (*to Wilks.*) Has this Man ſeen theſe Birds and Cages ?

Wilks. Yes, my Lord; I know they are mine.

Q. Priſoner, what is you Buſineſs ?

Halſey. A Butcher, my Lord.

Q. Where did you get theſe Birds and Cages ?

Halſey. I gave Half a Crown for them. I bought theſe Birds, Sir, accidentally, as I was going along, and my Wife being ſick, I ſold them again.

Q. (*to the Priſoner.*) Have you any Witneſſes ?

Halſey. No.

There was one in Court that gave an Account of the Priſoner as a Perſon of ſcarce common Underſtanding. Guilty.

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174. **Elizabeth Lanes** was indicted for ſtealing one Linnen Frock, and one Piece of Check'd Linnen, the Property of *Simon Rawlins*, the 11th of *April.*

Q. (*to Simon Rawlins.*) What have you to ſay againſt the Priſoner ?

Rawlins. My Child was robb'd laſt *Tueſday* of a Frock and a Piece of Check'd Linnen.

Q. How old was the Child ?

Rawlins. Twenty Months old.

Q. Where was it ?

Rawlins. In *Shoreditch* Pariſh.

Q. How came you to ſuſpect the Priſoner ?

Rawlins. She was in Cuſtody before I was appriz'd of it. I did not ſee her commit the Fact, but was told by all the Neighbours that ſhe did it; ſhe was carried before the Juſtice, and ſhe partly confeſs'd it, and ſaid it was the firſt Fact, and the

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* *This* James Bullock *has been a very notorious Offender; he was concern'd with ſeveral Boys in Robberies; he was an Evidence againſt* Mayſon, *and impeach'd his own Wife as an Acceſſory.* See *January* Seſſions, No. II. Part II. Page 42.

Juſtice

Juſtice told her that he believed it would be the laſt.

Q. What was the Fact?

Rawlins. The taking the Frock and the Piece of Check from the Child.

Q. What was ſhe charg'd with at that Time? Was ſhe particularly charg'd with this Fact of taking this Frock?

Rawlins. Yes, Sir, ſhe was.

Q. (*to the Priſoner.*) Will you ask the Witneſs any Queſtion? He ſays, upon your being charged before the Juſtice, you ſaid it was the firſt Fact.

Priſoner. He did not ask me any thing.

Q. (*to Joſeph Francklin.*) What have you to ſay to this Matter?

Francklin. I was ſtanding in my Maſter's Shop, oppoſite to the Place where this Fact was committed, and I ſaw this Woman (the Priſoner) ſome time in the Alley; I took no Notice of her, and ſhe held this Child in her Arms, as if the Child was making Water. Preſently ſhe comes out in a Hurry, with ſomething in her Lap, and I ſaid I believe that Woman has ſtript the Child. She went down a Turning, where ſhe was ſoon taken with the Things upon her.

[They were produced in Court.]

Q. (*to Rawlins.*) Is that the Child's Frock?

Rawlins. This is the Child's Frock and the Linnen.

Q. (*to the Priſoner.*) Will you ask him any Queſtions.

Priſoner. Did you ſee me take it?

Rawlins. I did not. Guilty.

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175. **Mary Wright** was indicted for ſtealing one Dowlas Shift, Value 8 d. and 6 s. 8 d. in Money, the Property of *John Tibbet.*

Q. (*to John Tibbet.*) What have you to ſay againſt the Priſoner?

Tibbet. I ſay, Sir, that ſhe lodg'd in my Houſe almoſt Half a Year. She took my Wife's Shift out of the Drawer; ſhe own'd it herſelf. I won't ſwear that ſhe did it; but ſhe own'd it before the Juſtice.

Q. What Juſtice?

Tibbet. Juſtice *Holt.*

Q. Was it ſign'd?

Tibbet. Yes, ſhe ſign'd it with her own Hand.

Q. (*to Mary Hollis.*) What do you know of the Priſoner's taking away a Shift and Money belonging to *John Tibbet?*

Hollis. Sir, I miſs'd my Miſtreſs's Shift between Eleven and Twelve o'Clock; and ſhe (the Priſoner) own'd ſhe had pawn'd it.

Q. Where is your Maſter's Houſe?

Hollis. At *Iſlington.*

Q. Did ſhe own ſhe took it from thence?

Hollis. Yes, Sir, and the Money too.

Court. Priſoner, ſhe ſays you took the Money from the Proſecutor's Houſe at *Iſlington.*

Priſoner. My Lord, they lay more to my Charge than I had. Pleaſe you, my Lord, 'tis partly done out of Spight, as much as any Thing.

Q. (*to the Priſoner.*) Have you any Witneſſes to your Character?

Priſoner. No, my Lord; none but myſelf. Guilty.

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176. **William Warden** was indicted for ſtealing 80 lb. of Lead from the Houſe of Col. *Porteen,* at *Bethnal-Green,* the 6th Day of *March.*

Q. (*to Henry Jonquer.*) Have you loſt any Lead from a Houſe at *Bethnal-Green?*

Jonquer. Yes, between 70 and 80 lb.

Q. In whoſe Occupation is this Houſe?

Jonquer. The Houſe was empty. We loſt ſo much Lead, but we cannot tell who took it.

Q. Who did that Houſe belong to?

Jonquer. Col. *Porteen.*

Q. (*to Mat. Lewin.*) Do you know any thing of the Priſoner taking any Lead off the Houſe of Col. *Porteen?*

Lewin. Yes.

Q. When was it?

Lewin. The 6th Day of *March,* about Three o'Clock in the Afternoon.

Q. What Part of the Houſe was it that he was at?

Lewin. At the Garret Windows, my Lord.

Q. What did you do upon that Occaſion? Did you ſee the Man before?

Lewin. No.

Q. Did you give any Information about it?

Lewin. Yes, my Lord; I call'd my Fellow-Servant, and ſhe call'd that Gentleman.

Q. (*to Peter Yerbury.*) Do you know any thing of the Priſoner's taking any Lead?

Yerbury. This young Woman call'd to me; ſaid ſhe ſaw a Man out at the Window taking the Lead away; and I ſaw the Man with a ſhort Hatchet, and he had got about a Foot of Lead. I call'd to him, and he came down; and when he came down I laid hold of him.

Q. Did

Q. Did you ſee him actually tearing the Lead off?

Yerbury. I ſaw ſomebody, but I cannot ſay it was him.

Q. (*to Lewin.*) Young Woman, can you ſay it was him?

Lewin. The Priſoner made a Confeſſion before Juſtice *Quarrel*, and that there were two more in the Houſe.

Q. Young Woman, do you believe that to be the Man?

Lewin. I cannot tell.

Q. Was there any Lead found upon him?

Lewin. None found upon him.

Court. (*to the Priſoner.*) Now make your Defence?

Priſoner. My Lord, I never meddled with any of the Lead.

Q. Have you any Witneſſes to your Character or the Fact?

Priſoner. No. Guilty.

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177. **Mary Carter**, otherwiſe **Hall**, was indicted for ſtealing one Cotton Gown, Value 5 s. and one Cloth Cloak, the Goods of *Elizabeth Brooks*, the 26th of *March*.

Q. (*to Eliz. Brooks.*) Have you loſt any thing?

Brooks. Yes, a ſtrip'd Cotton Gown, and a white ſhort Cloak.

Q. When.

Brooks. The 26th of *March*.

Q. From whence were theſe Things taken?

Brooks. From my Room in *King-Street*.

Q. How came you to ſuſpect the Priſoner?

Brooks. About Six o'Clock in the Evening I ſent a little Child out for a Candle; I went down Stairs and miſs'd it, about five Minutes after the Child came in.

Q. How came you to ſuſpect the Priſoner?

Brooks. I open'd the Street-Door without a Gown; and when I look'd out, before I had Power to ask any Queſtion, the Priſoner ſaid ſhe had loſt a Bunch of Turneps.

Q. She lives then in your Neighbourhood?

Brooks. Yes, Sir, facing of me. I ſaid to her, Did you ſee any body come out of my Houſe? She ſaid, ſhe could not look after my Houſe, for ſhe herſelf had loſt a Bunch of Turneps, and ſhe ſeem'd to take it amiſs that I ſhould ask her about any Perſons coming in. When the Thing was talk'd of, ſhe, the Priſoner, ſaid, Mrs. *Brooks* has been taxing me about it. She ſaid I ſhould never hear the laſt of it. The next Day I ſent for her over, for very diſorderly People uſe her Houſe; I ſaid to her, if you can tell me any thing of my Gown, I ſhall be oblig'd to you; but ſhe told me I ſhould never hear the laſt of it. The next Day I went into *Rag-Fair*, and I found it in *Roſemary-Lane*, as I was going along; it was hanging in the Window.

Q. Did you tell the Gentleman that you loſt it?

Brooks. I told him it was my Gown, and I deſir'd him not to ſell it. I ask'd him, if he had ſuch a Thing as a white Short-Cloak, which they had.

Q. Did they give any Account of the Perſon that brought it thither?

Brooks. When they deſcribed the Perſon, it gave me the more Suſpicion. Pleaſe you, my Lord, this ſame Woman, the Priſoner at the Bar, was in *Roſemary-Lane*, and this Woman by; the Priſoner ask'd, if ſhe knew where ſhe could ſell a Gown and Cloke; whereupon ſhe carried her to her Maſter; they told her, they hop'd ſhe came honeſtly by it; ſhe anſwer'd, yes.

Q. Was ſhe taken up?

Brooks. Yes; but denied before the Juſtice that ſhe either took it or ſold it.

Q. (*to the Priſoner.*) Will you ask her any Queſtion?

Priſoner. If you will pleaſe to ask her, my Lord, whether I was in her Houſe?

Court. She does not ſay you was.

Q. (*to John Linſted.*) What do you know of this Gown?

Linſted. This Gown and Cloak was brought to me the 26th or 27th of *March*, I cannot ſay; the Gown and Cloak was brought to my Shop by a Woman that my Workwoman brought in; ſhe came to ſell theſe Things.

Q. Who had the Money for them?

Linſted. The Priſoner.

Q. Who appear'd as the Owner of them?

Linſted. The Priſoner at the Bar; ſhe ſold them as her own.

Q. What did ſhe ſell them for?

Linſted. For 5 s.

Court. (*to Mary Williams.*) Look upon that Gown and Cloak; pray what do you know of them?

Williams. I am Workwoman to this Gentleman. I met the Priſoner at the Bar in the Street, and ſhe ask'd me, if I could tell her of any Body that would buy a Gown and Cloak of her, and I brought her to this Gentleman, my Maſter, and ſhe ſold them for 5 s.

Court. (*to Richard Lawrer.*) What have you to ſay of the Priſoner?

Lawrer. I was ſitting in this Gentleman's Shop when this Woman, the Priſoner, came in; I was there while he and his Wife bought this Gown and Cloak of the Priſoner at the Bar, and ſhe bought a coarſe Shift for a Girl, as ſhe ſaid, of 14 Years of Age.

Q. (*to Thomas Brown.*) What have you to ſay of the Priſoner?

Brown. I have known the Priſoner theſe four Years.

Q. What's her Buſineſs?

Brown. She is a very honeſt induſtrious Woman, and willing to live in the World; I have ſent her out with 8 or 9 l. at a Time, and ſhe always was very honeſt. About a Fortnight ago a Quarrel aroſe among the *Iriſh*; they ſaid they would do for her before a Month was at an End. This Diſpute aroſe with this Woman ſoon after this. Mrs. *Brooks* has lived well in the World; but I believe of late ſhe has been a little lunatick.

Q. Do you know any thing of the Pawnbroker?

Brown. He is no Pawnbroker.

Mary Abury. Pleaſe you, my Lord, Mrs. *Brooks* ſaid ſhe was robb'd; ſhe came to our Houſe for a Halfpenny Candle; I told her I ſtood at the Door a great while, and I did not ſee any body go in. She ſaid to the Priſoner ſhe muſt needs know ſomething of it, for no body could go into her Houſe but ſhe muſt ſee them, and the Priſoner ſaid, ſhe had loſt a Bunch of Turneps herſelf.

Q. (*to William Butcher.*) What do you ſay about this Matter?

Butcher. Pleaſe you, my Lord, when the Woman's Things were loſt, (the Gown and Cloak) the Priſoner at the Bar was at her own Door a knitting for above an Hour.

Q. How long was you there?

Butcher. The beſt Part of an Hour. During this Time, *Brooks* complain'd of being robb'd, ſhe ſent her Girl to my Houſe for a Candle; when Mrs. *Brooks* ſaid ſhe had loſt her Gown and Cloak, the Priſoner was at the ſame Juncture of Time ſitting at her own Door a-knitting.

Q. How came you to be ſo particular, to be ſo long at the Door looking over your Hatch?

Butcher. Pleaſe you, my Lord, I have been ill; and it was above an Hour. Mrs. *Brooks* liv'd next Door to me: She is up all Hours of the Night.

Q. (*to Linſted, the Broker*) Pray what Time were theſe Things brought to you?

Linſted. About Seven or Eight o'Clock at Night, the 26th or 27th of *March*.

Q. (*to Williams.*) Can you recollect what Time it was you ſaw this Woman in *Roſemary-Lane*?

Williams. About Eight o'Clock, as near as I can gueſs.

Q. How far from *Roſemary-Lane* do theſe People live?

Williams. They live in *King-Street*, *Wapping*. The Priſoner told me ſhe liv'd in *Katherine-Wheel-Alley* in *Whitechapel*, when ſhe ſold the Things.

Eleanor Wood. What do you know of the Priſoner?

Wood. She has a very good Character, and 'tis unknown the Money I have had in my Drawers, that has always been ſafe. I have left her in the Houſe for a Week or ten Days together, and never miſſed a Halfpenny in my Life. Guilty.

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178. **John Guſon** was indicted for ſtealing ten Pair of Shoes, the Goods of *Thomas Lang*, of St. *Katherine's*.

Q. (*to Tho. Lang.*) What are you a Shoemaker?

Lang. Yes.

Q. Where do you live?

Lang. In St. *Katherine's*, pleaſe you my Lord.

Q. Did you loſe any Thing out of your Shop?

Lang. Yes, ten Pair of Shoes and Pumps.

Q. How many Pair of Shoes?

Lang. Pleaſe you, my Lord, there were ſix Pair of Leather Shoes.

Q. Were they ſix Pair of new Leather Shoes?

Lang, Yes.

Q. What Time did you loſe them?

Lang. Between Nine and Ten o'Clock at Night.

Q. When did you ſee them before you loſt them?

Lang. I ſaw them before Six o'Clock.

Q. Did you ever ſee theſe Shoes again?

Lang. I never ſaw but one Pair again.

Q. From whom had you that Pair again?

Lang. From *John Guſon*, the Priſoner.

Q. How long was it before you had it from him again?

Lang. Yeſterday Morning.

Q. Was he taken up Yeſterday Morning? Where did he ſay he had them?

Lang. He ſaid he had them of *John Hudſon*.

Q. Did you ſee him about the Shop at all?

Lang. No, not at all.

Q. Pray

Q. Pray where are theſe Shoes? they are not new ones: Can you take upon you to ſay that they are your Shoes?

Lang. Pleaſe you my Lord they were upon his Feet.

Q. Can you take upon you to ſay they are the Shoes that you made?

Lang. Yes, my Lord.

Q. By what Mark?

Lang. By my Name and the Cuſtomer's Name upon them Shoes.

Q. Can you by any Mark ſwear they are the Shoes that you made?

Lang. They are all my Work, pleaſe you my Lord.

Q. Can you ſwear they are one of the ſix Pair of Shoes that you loſt? Had theſe ſix Pair of Shoes that you loſt, any particular Mark?

Lang. Theſe Shoes were made for a particular Cuſtomer: I found this one Pair upon his Feet.

Court. You don't know any Thing of the other Pair?

Lang. No, my Lord.

Q. (*to Henry Proſſer*) What do you know of this Matter?

Proſſer. I work for Mr. *Lang*. While I was there, my Maſter ſpoke to me, and told me here is a Pair of Shoes that I loſt, found upon this young Man's Feet.

Q. Did you know any Thing of the taking of theſe Shoes?

Proſſer. No, my Lord. I aſked the Boy (the Priſoner) whether he was not concern'd in the Robbery: The Priſoner owned he was concerned with *Hudſon* in ſtealing ſix Pair of Shoes out of the Shop of Mr. *Lang*; and that *Hudſon* ſold them for 2 *s.* a Pair: I ask'd how he came into the Shop with that Pair; he ſaid he had them from *Hudſon*; he did not ſay that he gave any Thing to *Hudſon* for them.

Court. You ſay he was concerned with *Hudſon:* Did he tell you what Part *Hudſon* acted, and what Part he acted?

Q. Did the Boy tell you that he took them, or *Hudſon?*

Proſſer. The Priſoner ſaid, that *Hudſon* took them out of the Shop.

Q. (*to Hudſon*) What is your Buſineſs?

Hudſon. I did work at the *Sawyer*'s.

Court. But now you do nothing?

Hudſon. The Priſoner and I went both together, with the ſame Intent, to ſteal what we could.

Q. What did you take out of this Shop?

Hudſon. We took out eight Pair of Shoes and Pumps, and an odd one.

Q. Where were they?

Hudſon. They were in the Shop Window.

Q. How did you get them out?

Hudſon. We broke a Pane of Glaſs; he broke one Piece, and I broke another.

Q. Who reach'd the Shoes out?

Hudſon. He reach'd ſome, and I reach'd ſome.

Q. What did you do with them afterwards?

Hudſon. He, the Priſoner, carried them away, and we ſold them together.

Q. Did you ſell them altogether?

Hudſon. Yes, all but a Pair he kept, and a Pair I kept; but I loſt mine.

Q. What did you ſell them for?

Hudſon. Half a Guinea.

Q. (*to the Priſoner*) Will you ask him any Queſtions?

Priſoner. No, Sir.

Q. (*to John Pennel.*) What do you know of this Affair?

Pennel. I know ſo far as this; I ſaw theſe Shoes upon the Priſoner's Feet before the Juſtice, with the Man's Name upon them in Length, which was in ſome Meaſure ſcraped off?

Q. Where were theſe Shoes ſold?

Pennel. To one *Alveraſs*; he buys Things known to be ſtolen. We went after him, but he made off when ſome of the Gang was catch'd.

Q. (*to* ——— *Charles.*) What do you know of this Matter?

Charles. Sir, this Lad's Father lives by me; he brought me here on *Wedneſday* laſt, to tell what I know of him; the Boy has been very honeſt. He has a Step-mother, and was turn'd out; and what he has done theſe three or four Years I cannot tell. He was clear'd by the Court laſt *Wedneſday*. His Father knew that I had ſome Friends in *St. Thomas*'s Hoſpital, and he wanted me to get his Son in there for a Diſtemper.

Q. What Diſtemper?

Charles. I believe the Foul Diſeaſe. I went Yeſterday to *Lang*'s Shop, the Proſecutor, and he told me he had a great Misfortune, he ſaid he had been robb'd, *&c.* and, ſaid he, 'tis by one *Hudſon:* The Boy was by, and made Anſwer, that he was try'd Yeſterday; and, ſays *Lang*, Are you clear'd; Yes, Sir, ſaid he, I am. So he ſtoop'd down and took that Shoe in his Hand, and ſaid, Theſe are my Shoes, I will ſwear to them; and he ſaid to me, Do you know any thing of this Boy's Character: I ſaid, I never heard any thing amiſs of him.

Q. (*to Thomas Carew.*) What Countryman are you?

Carew. An *Iriſhman*.

Q. What

Q. What do you know of the Priſoner?

Carew. I knew nothing by him, 'till this preſent Time, but what was juſt and honeſt. I have liv'd in his Father's Houſe, and work'd with him ſeveral Years, and knew nothing amiſs of the Lad. The Man that ſwore theſe Shoes were his, ſwears that they broke a Pane of Glaſs: We aſk'd him whether this Pane was broke, and he own'd that it was crack'd before.

Q. *(to Mary Jones.)* What do you know of this Matter?

Jones. I have known the Priſoner all his Life-time. He was bound an Apprentice to a Shoemaker, to my Huſband; but happen'd to be out, got a little in Liquor, and was drawn away by *William Hudſon.* Guilty, 4 s. 10 d.

179, 180, 181. **Anne Hoy, Sarah Hobbs,** and **Anne Sparks,** were indicted for ſtealing one Silver Watch, Value 4 l. one Pair of Braſs Shoe-buckles, Value 6 d. two Handkerchiefs, Value 1 s. and ten Shillings in Money; the Property of *Thomas Fellows,* the 23d of *March* laſt.

Q. (*to Thomas Fellows.*) Where do you live?

Fellows. I lodge at one Mr. *Smith*'s, near *Stepney.*

Q. Don't you lodge at *Jane Dobſon*'s?

Fellows. No, Sir.

Q. Where does *Jane Dobſon* live?

Fellows. The farther End of *Roſemary-Lane.*

Q. Had you any thing at her Houſe?

Fellows. The Things I had were about me.

Court. You lay there, did you? and you lodge at another Place.

Fellows. I lodg'd at *Jane Dobſon*'s; but I live, when I am at home, at one Mr. *Smith*'s, near *Stepney.*

Q. How came you to lodge there?

Fellows. I lodg'd there by a very great Misfortune, only one Night?

Q. Which Night was that?

Fellows. On *Thurſday* Night.

Q. What Day of the Month?

Fellows. The 20th of *March.*

Q. Then you had thoſe Things about you.

Fellows. Yes.

Court. Tell us what Things you had.

Fellows. I had a Watch.

Q. What Pocket was your Watch in?

Fellows. In my Right-hand Pocket.

Q. What was it a Silver Watch?

Fellows. Yes, worth four Guineas.

Q. Had you any Shoes there and Shoebuckles?

Fellows. Yes.

Q. And what were they worth?

Fellows. Sixpence. I had alſo two Handkerchiefs.

Q. What might they be worth?

Fellows. One Shilling.

Q. Where were they?

Fellows. One was about my Neck, the other in my Coat Pocket.

Q. Well; Had you any Money?

Fellows. Yes, ten Shillings in Silver in my Breeches Pocket.

Q. And did you loſe theſe Things?

Fellows. I loſt them all.

Q. How long was you in the Houſe?

Fellows. About ſix or eight Hours. I was in the Houſe about Twelve o'Clock at Night, and went away between Five and Six in the Morning.

Court. We ſuppoſe you went to bed there, Did you not? Did you pull off your Cloaths?

Fellows. I did, Sir.

Q. When did you firſt miſs your Things?

Fellows. When I awaked, Sir.

Q. Did they take your Breeches?

Fellows. No; they left my Breeches.

Q. Are you ſure the Things were there when you went to bed.

Fellows. I am ſure of that, Sir.

Q. Do you know any thing who had them?

Fellows. Sarah Hobbs, and *Anne Sparks,* between them.

Q. How do you know they had them?

Fellows. I know it, becauſe they confeſs'd it the very ſame Day.

Q. Did they lie with you?

Fellows. One of them, *Sarah Hobbs.*

Q. Where did the other lie?

Fellows. The other lay in another Bed in the ſame Room: When I awaked they were both gone.

Q. When did you find either of them?

Fellows. The ſame Day, at the ſame Houſe.

Q. Did you find any of the Things upon them?

Fellows. Yes, Sir, the two Handkerchiefs; they had them about each of their Necks, I am ſure.

Q. Did you find any thing elſe, your Watch or Shoebuckles?

Fellows. No, my Lord, I found nothing of them again.

Q. What did they ſay to you? What did *Sarah Hobbs* confeſs?

Fellows. She confeſs'd ſhe had the Watch.

Q. Did ſhe confeſs how ſhe had it?

Fellows. She did not give a particular Account how ſhe took it.

Q. Did ſhe confeſs ſhe took any thing elſe?

Fellows. No.

Q. Did

Q. Did *Anne Sparks* ſay that ſhe had any thing at all? but you ſay you found one of the Handkerchiefs about her Neck; I don't find that ſhe confeſs'd any thing to you.

Fellows. The Money they bought new Cloaths with.

Q. Did *Anne Sparks* ſay ſo?

Fellows. Yes.

Q. (*to John Herridge.*) What are you?

Herridge. I went with Mr. *Fellows* to ſee if I could find theſe Women; I happen'd to find them at the Houſe of Mr. *Tomſon's*; there *Sarah Hobbs* was in the Houſe, and ſhe acknowledg'd ſhe had the Handkerchief, and took the Watch, and ſaid they had ten Shillings: And as for the Buckles, they gave them to a Soldier.

Q. What did you hear *Anne Sparks* ſay?

Herridge. I did not hear her ſay any Thing, but ſhe had one of the Handkerchiefs about her Neck.

Q. What do you know about the other Woman?

Herridge. We found *Anne Hoy* in *Ragg-Fair.* We went into an Alehouſe; ſhe acknowledg'd to me, if the Man would give her two Guineas ſhe would help him to the Watch.

Q. Did ſhe confeſs her taking it?

Herridge. She ſaid ſhe did not commit any Robbery, for ſhe was not there; but for a couple of Guineas ſhe could help him to the Watch again.

Court. So you know nothing of her, only that ſhe ſaid ſhe could help him to the Watch again.

Herridge. No.

Q. (*to Anne Scott.* What do you know of this Matter?

Scott. This Gentleman (the Proſecutor) brought in *Sarah Hobbs* as his Wife; he brought in this *Anne Sparks* for her Siſter; and he paid 8 d. for two Beds for them.

Court. You live there, don't you?

Scott. Sir, 'tis my own Siſter; ſhe came in as his Wife, and *Anne Sparks* came in as her Siſter.

Court. Then *Sarah Hobbs* he brought in as his Wife.

Scott. Yes, Sir, he paid 8 d. for his Bed.

Q. Do you know any thing of their taking theſe Things?

Scott. Sir, at Three o'Clock in the Morning they went to bed, as Man and Wife: She (my Siſter) lets Lodgings there. The young Woman went up at Three o'Clock in the Morning, and ſhe took away his Shoes, Watch and Money; ſhe own'd, when ſhe was took the next Day, the taking the ſaid Things. She hit *Anne Sparks* a Slap on the Face, for not taking away his Breeches, and ſaid, Why did you not take away his Plate-button'd Coat and Breeches. *Anne Sparks* is a very innocent Creature, I believe, and 'tis pity ſhe ſhould ſuffer. *Sarah Hobbs* own'd the Shoes were pawn'd in *Shoreditch* for a Shilling.

Q. Did ſhe own ſhe took any thing away?

Scott. Sarah Hobbs took them all away. She waken'd *Anne Sparks* out of a Sleep, and told her ſhe did not underſtand her Trade, *&c.*

Q. (*to the Priſoner.*) *Sarah Hobbs*, will you aſk this Witneſs any Queſtions?

Priſoner. I don't know any thing of her?

Q. Have you any Witneſſes?

Q. (*to Sarah Betts.*) Do you underſtand any thing of this Matter, or do you come to the Priſoner's Character?

Betts. I come to the Character of *Sarah Hobbs.*

Q. What Character has ſhe?

Betts. She was brought up in a very ſober Way, and I never heard of any Thing againſt her before. She us'd to Waſh and Scour, and go out to Harveſt-work in the Country. She is a Widow.

Court. You never heard an ill Character of her before.

Betts. No, my Lord.

Q. Do you know any thing of *Anne Sparks?*

Betts. I have ſeen her.

Q. Do you know any thing of *Anne Hoy?*

Betts. No farther than ſeeing of her.

Anne Sparks and *Anne Hoy* Acquitted. *Sarah Hobbs* Guilty.

182, 183. **Judith Eddiſon** and **Chriſtian How** were indicted (the firſt as a Principal and the other as an Acceſſary) for aſſaulting *Lewis Brown*, putting him in fear of his Life, and ſtealing from him a Hat, Value 7 s. and a Peruke Value 20 s. on the 24th of *February.*

Q. (*to Lewis Brown.*) Did you loſe any thing?

Brown. Yes.

Q. At what Time?

Brown. It was about Nine o'Clock at Night.

Q. Which Night?

Brown. On *Monday* Night, the 24th of *February.*

Q. Where was you going?

Brown. Acroſs *Goodman's-Yard*, in the Pariſh of *Whitechapel.*

Q. Did any Body come up to you?

Brown. No, my Lord.

Q. What had you taken from you?

Brown. My Hat and Wig.

Q. Was it taken off your Head? Was you knock'd down firſt?

Brown. Yes; and I was looking for my Hat and Wig that had been taken off my Head.

Q. Could you tell what you was knock'd down with; whether a Fiſt or Stick?

Brown. I cannot tell; it was ſo dark I could not ſee any Body.

Q. Could you tell whether there was one or two People about you; or whether they were Men or Women's Voices?

Brown. There were ſeveral about me, but I could not tell who went away with my Wig.

Q. Did you ever find your Hat?

Brown. I never found my Hat; I found my Wig.

Q. Of what Value was your Hat?.

Brown. Seven Shillings and Six-pence it coſt; I had it about a Week.

Q. What was your Wig worth?

Brown. It coſt me a Guinea, and that was the ſecond Time of wearing.

Q. Where did you find your Wig?

Brown. At a Barber's, *Francis Grenow*'s.

Q. How long afterwards?

Brown. The 10th of *March.*

Q. Where is the Wig? Have you got it again?

Brown. Yes, my Lord.

Q. Do you know how it came at *Grenow*'s.

Brown. I know only as they told me.

Q. Do you know any thing, of your own Knowledge of either of the Women; particularly of *Judith Eddiſon*? How came you to ſuſpect her?

Brown. She came to me the next Day herſelf. She ſold the Hat and Wig to this *Chriſtian How.*

Q. To you ſhe confeſs'd it?

Brown. Yes, ſhe came voluntarily to me: She ſold the Hat and Wig to *Chriſtian How* for 3 s. and a Dram.

Q. How did ſhe come by it? Did ſhe tell you ſhe took it away; or did any body elſe give it to her to ſell?

Brown. She did not tell me any thing of that.

Q. When ſhe told you that *Chriſtian How* had it, did you not aſk her where ſhe liv'd?

Brown. Yes, my Lord, ſhe liv'd in *Moſes and Aaron Alley* in *Whitechapel.*

Q. What does ſhe keep a Shop there?

Brown. I was not in the Houſe, my Lord, I ſent for her to an Alehouſe and ſhe came to me.

Q. And what did ſhe ſay?

Brown. When ſhe came ſhe ſaid ſhe had bought theſe Things for three Shillings and a Dram; and I aſk'd her if ſhe would let me have them again for three Shillings and a Dram; but ſhe afterwards deny'd that ſhe had any ſuch Things.

Q. Had you the Wig of *Grenow* the 10th of *March.*

Brown. Yes.

Q. (*to Francis Grenow*) Who had you the Wig of?

Grenow. It was brought to me to buckle, all over dirty; the Priſoner, *How*, brought it to me on the 25th of *February.*

Q. How came you to keep it in your Shop 'till the 25th of *March?* Did ſhe tell you how ſhe came by it?

Grenow. She ſaid ſhe had bought it of a Girl that pick'd up Rags.

Q. (*to Joſeph Daniel*) What do you know of the Priſoner, *How?*

Daniel. Her Huſband is a Drover; ſhe has a good Character, to the beſt of my Knowledge; I never heard any Harm of her.

Q. (*to Catherine Painter*) How long have you known this Woman?

Painter. Ten or twelve Years; I never knew any thing but what was very honeſt by her. Both acquitted.

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184. **George Steers** was indicted for ſtealing a Hat, the Property of *Richard Martin*, Value 10d.

Richard Martin. My Lord, I was walking from the Poſt-Houſe, between *Swithin's-Lane* and *Sherborn-Lane*; the Priſoner at the Bar twich'd the Hat off my Head, and between *Sherborn-Lane* and *Cannon-Street* he was taken.

Q. Did you come up to him when he was taken?

Martin. I cry'd out *Stop Thief*, and he (the Priſoner) cry'd out *Stop Thief* too.

Q. (*to George Starky*) Do you know the Priſoner at the Bar? Did you take him upon Mr. *Martin*'s crying out Stop Thief.

Starky. I was coming up *Cannon-Street* about three Quarters after Nine; upon that I heard the Cry of *Stop Thief*; I had not walk'd above twenty Yards before I ſaw the Priſoner run and cry'd *Stop Thief* himſelf, and I laid hold of him; he ſaid he was robb'd and the Thief was gone before; but I held him, though he endeavour'd to get away, 'till Mr. *Martin* came up, who took the Hat out of his Hand.

Q. Then this is all you know?

Starky. Yes.

Q. (*to Martin*) And this is the Hat.

Martin.

Martin. Yes.

Court. Sir, you are a very kind Profecutor to lay this Hat at 10 d.

Q. (*to the Priſoner*) What are you?

Priſoner. I am an Apprentice. Guilty.

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185. **James Willix** was indicted for that he, not having the Fear of God before his Eyes, and being mov'd by the Inſtigation of the Devil, did feloniouſly and wilfully, with Malice aforethought, make an Aſſault on *Alice Willix*, otherwiſe *Greenfeild*, by ſtriking her down to the Ground, beating and kicking her on the Stomach, Breaſt and Head, whereby ſhe receiv'd ſuch mortal Wounds and Bruiſes that ſhe died on the 17th of *March*.

Sarah Grant. I ſaw the Woman on *Saturday* Night, the 15th, and ſhe died on the 17th.

Q. In what Condition was ſhe?

Grant. She was very well, ſhe eat her Supper with me and went home.

Q. Did *Willix* live with her?

Grant. Yes. The Deceas'd ſent her Child to me, between Eleven and Twelve o'Clock on *Saturday* Night, deſiring I would come to her.

Q. Did you go to her?

Grant. I went on *Sunday*, about Nine o'Clock.

Q. What then? Where did you find her?

Grant. I found her ſitting in a Chair. She was very bad: She clapp'd her Hand upon her Breaſt and ſaid, how he had given her her Death. Meaning *James Willix*.

Q. How had he given her her Death.

Grant. By ſtriking her over her Breaſt.

Q. With what?

Grant. She did not ſay with what.

Q. What more did ſhe ſay?

Grant. Nothing more, my Lord.

Q. Did you ſee her afterwards?

Grant. Yes.

Q. About what Time?

Grant. About Twelve o'Clock at Noon.

Q. Where was ſhe then?

Grant. In Bed.

Q. What did ſhe ſay then?

Grant. She ſaid ſhe was a dying: That was all that ſhe ſaid unto me.

Q. (*to Anne Gill*) What do you know of this Matter?

Gill. I know very little of the Man; I knew the Woman very well: I was a waſhing there on *Saturday*.

Q. This Man liv'd with her, did he not?

Gill. Yes, Sir.

Q. Do you know ſhe was his Wife?

Gill. She ſaid ſhe was married to Mr. *Willix*.

Q. What was ſhe doing? Did ſhe complain of any Thing then?

Gill. No, my Lord.

Q. When did you ſee her again?

Gill. She came to me on *Sunday*, to *Drury-Lane*.

Q. How far did ſhe come?

Gill. From *Short's-Gardens*.

Q. How far is that?

Gill. A little Way. She deſir'd me to go and light a Fire for her; ſhe ſaid ſhe was very bad; ſhe ſaid how he had beat her over Night; ſhe put her Hand to her Breaſt and ſaid he had given her her Death.

Q. Did ſhe name any Body?

Gill. She ſaid ſhe would get ſomething for his Dinner.

Q. When did you ſee her again?

Gill. I did not ſee her 'till *Monday*, about a Quarter of an Hour before ſhe departed.

Q. What did ſhe ſay then to you?

Gill. Sir, ſhe could not ſpeak. She was a dying; ſhe did not know me.

Q. Did either of you ever ſee him beat her?

Gill. I did not.

Matthew Bentley. I have heard him beat her ſeveral Times, but I never ſaw him. On Thurſday Night before ſhe died ſhe was beat, and I was frightned out of my Wits; but I never ſaw him beat her. On *Friday* and *Saturday* in the Afternoon I heard him, but I never ſaw him.

Q. Was *Saturday* Night the laſt Time ſhe was beat? Did you hear him beat her?

Bentley. Yes.

Q. (*to Grant*) When ſhe ſupp'd with you did ſhe make any Complaints to you? Did you ever ſee her afterwards?

Grant. I ſaw her on *Sunday* Morning; ſhe ſaid ſhe was very ill: Then the Priſoner call'd me up to her, and ſaid ſhe was very bad; He could not 'tell what to do with her either on *Sunday* or *Monday*.

Q. Did ſhe ſay any Thing to you?

Grant. No, my Lord.

Q. (*to Sarah Williams*) What do you know of it.

Williams. She came to my Room on *Sunday* Morning. I live facing, on the other Side of the Way.

Q. She came to you on *Sunday* Morning; what did ſhe ſay to you?

Williams. She came to buy ſome Greens and Turnips, and ſhe ſaid ſhe was very bad beat; and could not tell how to walk: She ſaid her Huſband had beat her on *Saturday* Night; ſhe ſaid ſhe thought

thought he had given her her Death Wound; and that he had beat her ſeveral Times, but never beat her ſo before, as then.

Q. Did you ſee her before ſhe died?

Williams. When I came ſhe was ſpeechleſs, gave one Sigh afterwards, and that was all.

Q. (*to the Priſoner*) Have you any Thing to ſay?

Priſoner. I never lifted up my Hand againſt her; I never lifted up my Finger to the Woman.

Q. (*to John Jones*) How long have you known this Man?

Jones. A great while, he is a Drum Major.

Q. What Character has he?

Jones. He bears a very good Character: And has, during the Time he has been in the Regiment.

Q. Did he ſeem to be a quarrelſome Man; or a good condition'd Man?

Jones. A good condition'd Man.

Robert Hindmarſh. I have known the Priſoner theſe three Years; he always behav'd very well: I never heard any Thing ill of him before this Time.

Q. (*to John Aſpell*) How long have you known the Priſoner?

Aſpell. Theſe ten Years. And the Man always behav'd very well, I never heard any Thing amiſs in his Behaviour. Acquitted.

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186. **Elizabeth Carlow** was indicted as an Acceſſary (the Principals, *Elizabeth Read* and *Mary Bell* being before indicted) for receiving 6 l. 7 s.

Q. (*to John Torn*) Did you loſe any Money?

Torn. Yes. It was my Money that was loſt.

Q. How much?

Torn. Six Guineas in Gold, and one Shilling in Silver.

Q. Do you know any Thing of the Woman, *Carlow?*

Torn. Yes, my Lord. I know her to receive the Money, knowing it to be ſtolen.

Q. How do you know ſhe has theſe ſix Guineas? Did you ſee the ſix Guineas deliver'd by *Elizabeth Read*, that was caſt in this Place?

Torn. She ſaid ſhe had not Time to count them, for they were tied up in a white Cloth.

Q. How came ſhe to let you ſee her?

Torn. In a very ſhort Moment ſhe faſtned the Door.

Q. Did *Elizabeth Read* tell her what it was?

Torn. She told her it was a Soldier's Money that ſhe had juſt receiv'd.

Q. What did ſhe bid her do with it? What became of the Money? Had you it again?

Torn. No, my Lord. She ſaid there was like to be Words about it.

Q. What did this Woman do with it? What did you ſee her do?

Torn. She took it into her Hand; ſhe put it into her Pocket, or under her Cloaths; and deſir'd the other Perſon to keep out of the Way.

Q. Did you ever demand the Money of this Woman?

Torn. Yes. That very Night, but ſhe denied ſhe had it.

Q. Who took the Money from you?

Torn. One *Mary Bell* took it from me.

Q. Did not *Elizabeth Read* take it from you?

Torn. *Mary Bell* came into my Room and took my Money out of my Breeches upon the Bed; and *Elizabeth Read* receiv'd it of *Mary Bell.*

Q. Have you any other Evidence?

Torn. I have another Evidence. But they got a Warrant againſt him. He was taken a Priſoner upon ſome Judge's Warrant. He was here the laſt Seſſions. Acquitted.

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187. **Francis Archangel Monford**, of the Pariſh of St. *James's*, was indicted as a Popiſh Prieſt and an avow'd Enemy to the Eſtabliſhment of this Kingdom, who intended to divert and draw away his Majeſty's Subjects, having, on the 28th of *November* laſt, in the Hearing of divers Subjects of our Soverign Lord the King, unlawfully, and in an open, publick, audacious Manner, exerciſed part of the Office and Function of a Popiſh Prieſt, by celebrating Maſs after the Manner of the Church of *Rome*, whhich is againſt the Peace of our Sovereign Lord the King, and againſt the Form of the Statute in that Caſe made and provided.

Council. May it pleaſe your Lordſhip, and you Gentlemen of the Jury, I am Council in this Proſecution againſt the Defendant, who is now in Judgment before you for an Offence, we apprehend, he has has been guilty of againſt an Act of Parliament made in the Time of King *William* the Third for preventing the Growth of Popery: 'Tis not a Spirit of Perſecution, but Self-preſervation, that makes us enforce that Law at this time of Day. If our Anceſtors thought it neceſſary, at that Time, to put a further Reſtriction upon the Attempts of deſigning artful Men, who endeavour to ſeduce and inveigle People away from the Religion in which they were brought up, I believe it will be the Judg-

ment

ment of every one that obſerves what Times we are fallen into, that we ought to oppoſe the Deſigns of our cunning Adverſaries, who are endeavouring to ſeduce the People from the pure Religion exerciſed in this Kingdom. The Indictment on which the Defendant ſtands accuſed is grounded on an Act of Parliament made in the 11th and 12th Years of his Majeſty King *William* the Third, which has expreſly prohibited the Exerciſe of the Popiſh Religion, in any Degree whatſoever. If the Proteſtants abroad ſhould attempt the publick Exerciſe of their Religion, they would be try'd by Rage and Fury, not left to the Judgment of twelve Men, but to the Inquiſition, *&c.* But we permit all to come to a Trial fairly and upon Oath. This, Gentlemen, I thought proper to mention to you; becauſe 'tis extreamly neceſſary ſome Stop ſhould be put to Men that endeavour to draw away People from the true Proteſtant Religion. 'Tis evident that the Defendant has endeavour'd to ſeduce People by celebrating one of the Sacraments, in baptizing a Child in the Popiſh Way. Gentlemen, it ſeems the preſent Defendant, Mr. *Francis Monford*, otherwiſe *Archangel Monford*, exerciſed his Office at a Place in *Warwick-Street*, where a Multitude of People aſſembled together; among the reſt ſeveral Proteſtants: This we ſhall ſhew, by the Witneſſes who are preſent, that he did actually do, in the very ſame Form and Manner, and according to the Uſage of the Church of *Rome*; therefore thoſe that were concern'd at the Sight thought proper to make a Diſcovery of it. If he has no Authority or Qualification within the Letter of the Law, we ſhall prove, with Submiſſion to the Court, that he is culpable by the Act of Parliament before mention'd. My Lord, I ſhall now call *Patrick Slowman* to prove that the Defendant is guilty.

Q. (to Patrick Slowman.) What are you, a Proteſtant or a Papiſt?

Slowman. A Proteſtant.

Q. What Countryman are you?

Slowman. An *Iriſhman.*

Q. Do you know the Defendant.

Slowman. On the Evening of the Day that the Defendant at the Bar was taken I was going home, there was a Crowd at Sir *Thomas De Veil's*: The Evening of the Day I cannot tell, Sir *Thomas* has got it, I think he declar'd it was the 12th of *December.* I ſaw the Priſoner at the Bar; I myſelf was not any way concern'd.

Q. Did you know him before?

Slowman. Yes, my Lord.

Q. Do you know that he is a Popiſh Prieſt? You are to anſwer the Queſtions that the Council or I aſk you; I deſire to know whether you have any reaſon to think this Man is a Popiſh Prieſt?

Slowman. My Lord, I believe that he is ſo. My Lord, about five or ſix Weeks before laſt *Chriſtmas* I was, with ſome Friends I met, at the *Portugueſe* Chapel in *Warwick-Street*, and I ſaw Mr. *Monford* there; three of them were dreſs'd all alike, and three Boys dreſs'd in a different Manner.

Q. Do you know what the Dreſs of a Popiſh Prieſt is?

Slowman. No.

Q. Do you any otherwiſe know that he is a Prieſt than by your ſeeing him in the *Portugueſe* Chapel?

Court to the Council. Gentlemen, you muſt prove that he is a Popiſh Prieſt; the Witneſs ſays he only ſaw him in the Popiſh Chapel; by the ſame reaſon it may be ſaid this Gentleman is ſo himſelf.

Council. I know but little of it, neither do I deſire to know it: This Gentleman, the Witneſs, has expreſly ſwore that he heard him ſay Maſs ſeveral Times.

Sir *Thomas De Veil* to the Witneſs. Sir, I read this Information with as much Circumſpection as I could; you did ſwear to me that this Gentleman did ſay Maſs ſeveral Times; that you knew the Place of his Birth, and that he was a Subject of *Great Britain*; upon which I committed him.

Q. How long have you known him?

Slowman. I have known him two or three Years.

Council. Therefore I aſk you once more whether you have any reaſon to believe he is a Popiſh Prieſt, any otherwiſe than that you ſaw him at the Popiſh Chapel? Did you hear him ſay any thing or not?

Slowman. I did not.

Q. Do you know the Dreſs of a Popiſh Prieſt?

Slowman. I do not.

Q. (to John Kettle.) What Religion are you of?

Kettle. I am a Proteſtant.

Q. Do you know the Defendant at the Bar.

Kettle. Yes, for two Years paſt.

Q. Do you know what is his Profeſſion?

Kettle. I went the *Saturday* before *Eaſter Sunday* to the Romiſh Chapel in *Warwick-Street*, and I ſaw the Defendant there in a white Surplice, croſs'd down the Back.

Q. Did he read any thing?

Kettle. Yes, he had a Book in his Hand; I could not hear what he read. There was a great Congregation of People.

Court. Then you could not tell what he read?

Kettle. No.

Q. Do you know any thing elſe of his being a Popiſh Prieſt? Was there any diſtributing of Bread and Wine?

Kettle. No. But I was there laſt *Chriſtmas* was twelve Month; I ſaw him then ſipping out of Cup; and he read ſomething afterwards.

Q. Did he adminiſter it to any Body elſe?

Kettle. No. They never do.

Q. Can you tell in what Language it was he read?

Kettle. No.

Q. In what Poſture was he when he had the Cup; was he ſtanding up by the Communion-Table; was any of the Congregation near him?

Kettle. Some of them were down upon their Knees; and he took the Cup and held it up as high as his Head.

Q. *(to John Hibbs)* Do you know any Thing of the Defendant, Mr. *Monford?*

Hibbs. I was at the taking of him.

Q. Do you know what is his Buſineſs?

Hibbs. He is a computed Prieſt.

Court. You mean a reputed Prieſt.

Hibbs. Yes.

Q. What Reaſon have you to ſay that he is a reputed Prieſt?

Hibbs. He us'd to viſit a Lady next Door to our Houſe; and that Lady is a Roman Catholick.

Council. According to this, then every Man that viſits a Lady that is a Proteſtant, is a Proteſtant.

Q. Did you ever ſee him officiate as a Popiſh Prieſt? Did you ever hear him confeſs any Thing?

Hibbs. No. Acquitted.

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188. **Anne Murphey** was indicted for feloniouſly ſtealing a Silver Watch, the Property of —— Guilty 10 d.

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189. **Elizabeth Edwards** was indicted for ſtealing two Gold Rings and a Tea Spoon, the Property of *Moſes Pile.*

Q. *(to Suſannah Pile.)* Where do you live?

In *Bakers Row* in *Whitechapel.*

Q. Had you any Goods ſtole out of your Houſe?

Pile. No, Pleaſe your Honour.

Q. Did you loſe any Goods?

Pile. My Huſband and my little Boy ſell Stockings, Handkerchiefs and Caps; and he takes a Licence and walks abroad. This Woman, the Priſoner, ſhe comes to my Door to beg a little Small Beer; I ſaid I had none, my Children muſt drink Water; the Door was a-jar, open, and ſhe came in; give me a little Water, ſays ſhe, I am troubled with the Heart-Burn, it may do me good; ſays ſhe to me, you are born to vaſt good Fortune, let me ſee your Hand. Said I, are you a Fortune Reader? She reply'd, I know, and by God's Aſſiſtance to help me, that where you are worth a Penny you ſhall be worth a Pound: Did you never hear of hidden Treaſure in this Houſe: There is hid a great deal of Money, and by God's Aſſiſtance and my Help you ſhall enjoy much of this: She told me ſhe deſir'd but ſo much in the Pound. But don't you deal with the Devil, I ſaid: Says ſhe you muſt pull your Rings off; ſaid I, I have been a Wife theſe 18 Years, and have had eight Children, and have never pull'd them off. Says ſhe, there is Gold and Silver hid in this Houſe, there is 400 l. of King *William*'s Gold hid in this Place ever ſince King *William*'s Time, and ſhall be your's within an Hour, if you will follow my Directions; and where you are worth a Penny you ſhall be worth a Pound. I trembled and ſhook, I ſaid, ſure the Woman deals with the Devil, I ſaid, do you? No, ſaid the Priſoner; but only caſt a Figure. All the Gold and Silver (ſays ſhe) you have in the Houſe, you muſt bring to me: She ſaid, God muſt be her Saviour, and I ſhould have it; And I was in ſuch a Condition, in a Trance, or ſome ſuch Thing.

Q. Did you pull off your Rings?

Pile. Yes. And they were put into a Paper, and ſhe ſaid, as God ſhould be her Judge ſhe would have but 12 d. to the Pound; ſhe put my Rings and Spoon, as I thought, in my Boſom, but I could not find them any more.

Q. Did you think you had them in your Boſom?

Pile. Pleaſe you my Lord, ſhe put me into ſuch a Condition, that I thought I ſhould have died.

Q. Where were the Rings and the Tea Spoon?

Pile. In the Paper.

Q. Did ſhe put them into your Boſom?

Pile. I thought ſhe did, but I never had them in my Boſom, tho' I thought I had: So ſhe went out, and was to bring this Money to me in a Quarter of an Hour; but ſhe did not return again; and I could not find her 'till *Monday.* I went into *Whitchapel*, there I found her, and ſhe run away from me a Mile or two before we took her.

[*Priſoner's Defence*] Pleaſe you my Lord, I never ſaw the Gentlewoman before *Monday* in the whole Courſe of my Life. I am unprovided, my Witneſſes were here, but they are gone. Guilty 39 s.

190. **Sarah**

190. **Sarah Hayes** being big with a certain Female Child, by the Providence of God; did caſt this Child into a Frivy, whereby it was ſuffocated, the 26th of *February*.

Q. (to Elizabeth Troughton) What do you know of this Matter?

Troughton. Pleaſe you, my Lord, ſhe came out of Service to my Houſe for a Lodging, 'till ſhe got into Place: She was about a Fortnight and two Days at my Houſe before ſhe was brought to Bed. Sir, the young Woman in the Houſe happen'd to go up to her Room to put a larger Bed there in order that ſhe might lie with her; but taking the Bed off the Bedſtead they call'd me up, and we ſaw a Child had been born. The Priſoner ſaid there had not; but I ſaid I was ſure there had: She ſaid ſhe was about ſix Months gone with Child, and had miſcarry'd; that ſhe had left the Child in a Place where ſhe could have it again; and afterwards, that ſhe had dropp'd it in *Lincoln's-Inn-Fields*; but upon Enquiry there was no ſuch Thing. Her Miſtreſs and I went to the *Compter*.

Q. Who is her Miſtreſs?

Troughton. Mrs. *Moſeley*. She told her Miſtreſs, after ſome time, that ſhe had thrown the Child down the Vault in *Woodſtreet-Compter*.

Q. Did you ſee the Child?

Troughton. I ſaw it after it was taken out of the Vault, but never before. She carried it out of my Houſe in a Handkerchief.

Q. Did you perceive that ſhe was with Child?

Troughton. She always had her Apron tuck'd up that I never minded it.

Q. When was it that you perceiv'd it?

Troughton. On *Friday* between Ten and Eleven o'Clock.

Q. How did the Woman appear?

Troughton. As well and as hearty as ſhe was before.

Q. How long did you look upon it ſhe was deliver'd?

Troughton. She was deliver'd between Two and Three o'Clock on *Wedneſday* Morning.

Q. How do you know ſhe was deliver'd on *Wedneſday* Morning?

Troughton. She ſaid ſo herſelf.

Q. Had ſhe kept Houſe from that Time to *Friday*?

Troughton. No, my Lord; ſhe went out on *Wedneſday* Morning about Eight o'Clock.

Q. Did ſhe keep out all Day?

Troughton. 'Till about Eight o'Clock at Night.

Q. Did you lodge near to her?

Troughton. She could not go to her Bed without going thro' my Kitchen, and ſhe went out on *Thurſday* Morning as uſual.

Q. And did ſhe go out on *Friday* Morning?

Troughton. Yes, and back again at Night.

Q. Did any body go up in her Room on *Friday* Night?

Troughton. The young Woman took her Bed off from her Bedſtead, to put a bigger Bed on to lie with her, or we ſhould not have found it.

Q. Did you uſe to let this Woman out of a Morning? Did ſhe uſe to carry out ſomething?

Troughton. I ſaw her carry out ſomething on *Wedneſday* Morning in a Handkerchief, that look'd very full; but I had no Suſpicion of any thing.

Q. Did there appear any Proviſion ſhe had made for the Child? Any Childbed Linnen?

Troughton. No, my Lord; but ſhe ſaid ſhe had ſome a making.

Q. Are you a married Woman?

Troughton. Yes, my Lord.

Q. So you never had a Suſpicion of this Thing 'till *Friday*?

Troughton. No.

Q. Did you never keep her Company, nor converſe with her?

Troughton. But little; ſhe generally had her Apron tuck'd up, that I never minded her.

Court. So you ſay this Child was taken out of the Compter Vault.

Troughton. Yes, my Lord.

Q. Did you obſerve any Marks of Violence upon the Child?

Troughton. I can't ſay that I could. The Rats had eaten one of the Arms and Hands, and one of the Arms was left whole.

Q. (to Mary Prichard.) What do know of this Affair?

Prichard. Pleaſe you, my Lord, I know no more of it, than that I lay in the next Room to hers that Night, and the Night following ſhe was to lie along with this Woman; and when they went to make her Bed, this Woman call'd to me, and ſhew'd me the Things that I thought was uſual on thoſe Occaſions; upon which I went down to call my Landlady: When ſhe came up Stairs, ſhe ſaid there had been a Child born.

Q. What Things?

Prichard. I don't know, Sir; Things as uſual at ſuch Times. When the Priſoner came up there was Company in the Houſe, and ſhe tax'd her with having a Child. She ſaid, there was no ſuch Thing. The Landlady ſaid, as ſure as ever ſhe had a Child

in

in her Life, ſhe had one. Then ſhe confeſs'd that ſhe had miſcarried; and the Landlady inſiſting to know what was become of it, ſhe ſaid it was very ſafe. The Landlady deſired to know where it was. She ſaid, if ſhe would give her Leave, ſhe would go and fetch it. My Landlady ſaid ſhe did not chuſe ſhe ſhould go to fetch it; but if ſhe'd tell, ſhe would ſend for it. With a great deal to do, ſhe ſaid ſhe had left it at the Duke of *Newcaſtle*'s Houſe. My Landlady ſaid, ſhe could never leave ſuch a Thing there in the Morning. She deſired the Landlady to let her go; for the Priſoner ſtill inſiſted ſhe had left it on the Stone Wall at the Duke of *Newcaſtle*'s that Morning. They charg'd the Conſtable with her, and they ſent the Beadle of the Pariſh to enquire if there was any ſuch Thing.

Q. Was you in the Houſe during the whole Time of the Priſoner's being there?

Prichard. Yes, the whole Time, I believe. She was about a Fortnight.

Q. (to Mary Moſeley.) What do you know of this Matter?

Moſeley. The Priſoner was my Servant, my Lord; ſhe lived about 14 Months with me, my Lord; I perceived ſhe was with Child, and I turn'd her away upon the ſame Occaſion.

Q. When did you turn her away?

Moſeley. About a Fortnight before ſhe was brought to-bed.

Q. Is that all you have to ſay?

Moſeley. I went to ſee her at the *Compter*. I asked her what ſhe had done with the Child; ſhe ſaid it was in *Lincoln's-Inn-Fields*; but I told her it was a Story, and ſhe ſhould tell me; then ſhe took hold of my Cloaths, and ſaid it was here: I ask'd where; ſhe pointed to the Vault, and it was taken out.

Q. Had it any Marks of Violence?

Moſeley. The Arm and Leg, and the bottom Part was knawed with Rats, and ſadly mortify'd, that we could not tell what it was; but as ſhe ſaid herſelf that it was a Girl, for no-body could tell what it was.

Q. Have you any Thing farther?

Moſeley. No, my Lord.

Q. (to Mary Jane) What do you know of this Matter?

Jane. I live juſt by the *Compter*. The *Churchwarden* and the reſt of the Gentlemen were pleas'd to ſend for me, and when I came, there was a little Bandbox ſtood upon the Table, and the *Coroner* ſwore me; they took off the Lid of the Box, and it was ſuch a ſhocking Sight, that it almoſt took away my Senſes: After I was recover'd, I examined it as well as I could, but it ſeemed to be ſo knawed and deſtroyed by Vermin, that it was not to be diſcerned. Whether it was Male or Female, I don't know, but ſhe ſaid it was a Female Child.

Q. Was the Child you ſaw in the Bandbox, the ſame that was taken out of the Vault? Did this appear to be a full-grown Child?

Jane. I cannot tell, my Lord.

Q. What is your Opinion?

Jane. I really can't ſay, my Lord, whether it was or was not; if it was not at its Time, I believe it muſt be very near, it was waſted, there was but one Hand left.

Q. Was there Nails upon the Hand?

Jane. Small Nails, my Lord.

Q. Was there any Hair?

Jane. No, my Lord, I did not apprehend any Thing of that; but I was ſo ſhocked with the Sight of it, that I was almoſt dead.

Q. Who carried the Woman to the *Compter*?

Jane. She uſed to go to a Man that ſhe had lived with, and had three or four Children by.

Aaron Levi. What do you know concerning the Priſoner at the Bar coming to the *Compter*?

Levi. She was committed by my *Lord Mayor* to our Place.

Q. Did ſhe uſe to come there before?

Levi. Yes, my Lord, ſhe came to a Man that ſhe pretended was her Brother; but I find it was a Man that ſhe had lived with before, and had ſome Children by him.

Court. She called this Man her Brother, did ſhe? Do you know any Thing to the contrary that he was not her Brother?

Levi. I believe he was not; the Priſoner confeſſed that ſhe had thrown the Child into the Vault, and ſhe brought it there in a Handkerchief.

Q. Did ſhe tell you whether the Child was alive when ſhe threw it in?

Levi. No, my Lord, for I did not ask her that Queſtion.

Q. Did it appear to you to be a full-grown Child?

Levi. I can't ſay, my Lord, I have very little Judgment in it.

Court. (to the Priſoner.) Now is your Time to make your Defence: You hear what has been ſworn againſt you, that you threw a Child into the Vault in the *Compter*, and you confeſſed it.

Priſoner. Pleaſe you, my Lord, I was brought to-bed half an Hour after Two o'Clock on *Wedneſday* Morning; I went out about Nine in the Morning,

ing, I went to *Wood-Street Compter*, and threw it down; it was born dead, and had been so for two or three Days before, by a Hurt I got.

Q. How came you not to give some Notice?

Prisoner. Please you, my Lord, I was a Servant, and would not disgrace myself: I was making Preparations for it: I did it to hide Shame, and to be sure I got more. I got a Hurt on *Saturday* as I was Washing, and the Child was dead-born, it was never born alive.

Q. Have you any to prove that you got any Hurt?

Prisoner. No, I never spoke of it to any Body. I had made some Preparations, but the Woman that made them for me is now sick a-bed, and sent them to me Yesterday.

Q. How did you get this Hurt?

Prisoner. Please you, my Lord, I was hanging up of Cloaths, and the Stool I stood upon, slipt from under me, and I had my Arms up, and I fell down on *Saturday* in the Afternoon.

Q. Where was you washing?

Prisoner. I was washing in the *Compter*, please you my Lord; I used to go there every Day.

Q. (*to Mary Pritchard*) You lodged in the next Room, did you hear any Cry?

Pritchard. No, I never heard any Cry, nor my Sister did not hear any Thing of it. Acquitted.

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191. **Anne Wilson** was indicted for that not having the Fear of God before her Eyes, but stirred and moved by the Instigation of the Devil, falsly, deceitfully, and feloniously, to deceive and defraud, on the 27th Day of *March*, 20 Pieces of false, forged, counterfeit Money and Coin, to the Likeness and Similitude of lawful and current Money, called Shillings, did coin and utter, against the Duty of her Allegiance, and against the Form and Statute in that Case made and provided

Susannah Jones. How long have you known the Prisoner at the Bar?

Jones. Fifteen Years.

Q. Pray, during that Time, what Way of Livelihood has she followed?

Jones. At first she lived in a pretty Way. About ten Years we have been abroad together, and gone out together in this Affair, in making of Money.

Q. Have you known her coin Money at any Time? What Fact have you known her guilty of, in respect of making of Money together. [Some Money was produced]

Withers. Had you that same Money from *Susannah Jones?*

Jones. These same Pieces of Money viewed by the Justice, Mr. *Withers*, she and I made.

Council. You must not talk of She's, there's five thousand of them.

Q. Did the Prisoner make these twelve Shillings?

Jones. I can't say but I did help her?

Q. Let us see what Part she did, and what Part you did, in making these Pieces. Who made the Mould of the Plaister of *Paris?*

Jones. I made the Impression by a good Shilling. The Prisoner held the Mould while I pour'd in the Metal.

Q. What is the next Step to making them?

Jones. She and I put them out, and I not being well that Night, when I went to Bed I desir'd her to get them ready, and she scour'd them and went down with one of the said Shillings.

Q. You say, she held the Mould made of Plaister of *Paris*, while you took the Impression off the good Shilling. Who cast them in the Mould?

Jones. She and I together.

Q. When was it that you did cast them?

Jones. In the Morning, at Four o'Clock, Sir: We were both concern'd together; I held the Moulds, and she pour'd the Metal in.

Q. Can you say that these twelve Pieces you produced, were produced by the Metal she pour'd into the Mould.

Jones. Yes.

Q. How do you know?

Jones. These Pieces were ne'er out of my Custody before I gave them to the Justice; they were not, upon my Word and Honour.

Q. Who fil'd these twelve? How came you by them?

Jones. Sir, she was with me; we were both together when they were made.

Q. Who scour'd them?

Jones. The Prisoner at the Bar.

Q. After you had scour'd and finish'd them, what did you do with them?

Jones. She and I used to go out together; she used always to take a Hand-Basket, and I used to go along with her: Sometimes she used to go to Market, and sometimes I. When I came to her, I used to give her the Change.

Q. When you had put it off, what did you do then?

Jones. Why then, Sir, I used to give her the Change; then I took another Shilling to put off.

Q. Now I would aſk you, for how long a Time you went on in this Way?

Jones. Ten Years we have gone out together in this Way.

Q. Who was it that you diſcover'd this iniquitous Practice to?

Jones. I was very uneaſy about it; for ſometimes ſhe would get drunk, and then ſhe would threaten me. I firſt ſent to the Gentleman, Mr. *Buckman*, within theſe three Weeks, and I ſaid, I am very uneaſy now my Children are grown out of the Way; and I am frighten'd and threaten'd by a Perſon what ſhe will do; and I will now leave it off.

Q. Pray what Impreſſion had the Moulds?

Jones. King *William* the Third.

Q. *(to the Priſoner)* Would you aſk her any Queſtions?

Priſoner. No, my Lord.

Q. *(to Walter Buckman.)* Look upon the Priſoner at the Bar, Do you know her?

Buckman. My Lord, I never ſaw her in my Life, 'till this Affair was diſcover'd. The Evidence, Mrs. *Jones*, ſent for me: When I came ſhe ſaid, I am ſomething concern'd I did not ſend to you before; I have ſent for you for ſomething beſides the Coat. When ſhe ſent to me ſhe was very ſober, and under a great Concern; and I was very ſober myſelf. She ſaid, I do aſſure you, Mr. *Buckingham*, I have ſomething upon my Spirits that concerns me; I am determin'd to make myſelf a voluntary Evidence. An Evidence, In what? I ſaid. Says ſhe, I have been concern'd in Coining, and putting off bad Money. I ſaid I would go and ſpeak to a Perſon that I knew, who was one *Vernon*.

Q. Who is *Vernon?*

Buckman. He is an Officer belonging to the *Marſhalſea Court.*

Q. What are you?

Buckman. I am a Taylor.

Q. So when you came to her about the Coat, ſhe mention'd ſomething to you about Coining, did ſhe?

Buckman. Yes; and ſhe nam'd one *Wilſon.*

Court. You ſaid you would ſend or go to one *Vernon*, Did you meet with him?

Buckman. I brought him along with me.

Q. Then what paſt in the Preſence of *Vernon*, you and her, altogether?

Buckman. She ſaid, To be ſure I am guilty of a very heinous Crime; I'll make myſelf a voluntary Evidence: I have two Children, and I am willing to diſcover the Thing. Said Mr. *Vernon*, Where does this Woman live? So ſhe ſent her little Boy with us to the Houſe where the Priſoner was; the Boy pointed to an elderly Woman, and the poor Woman fell a crying. I ſaid to Mr. *Vernon*, this poor Creature looks like an innocent Perſon. The other Woman facing the Chimney-Corner ſeem'd to be ſideling to get away; I ſaid, I fanſy that Woman muſt be the guilty Perſon; ſend for Mrs. *Jones*, to ſee if this is not the Woman. When Mrs. *Jones* came, ſhe declar'd that was the Woman.

Counſel. Now, Mr. *Buckman*, tell the Court what *Suſannah Jones* had ſaid of her being concern'd with any other in counterfeiting of Money before you went out with Mr. *Vernon*, Did ſhe mention any Name?

Buckman. Yes, a Name; but I can't remember the Name. She ſaid ſhe was concern'd with ſuch a Woman, living at a Silver-ſpinner's.

Q. *(to the Priſoner.)* Would you aſk this Witneſs any Queſtions?

Priſoner. I never ſaw him in my Life.

Q. *(to Richard Vernon.)* Look upon the Priſoner at the Bar, What is it that you know of her?

Vernon. I was drinking a Pint of Beer in *Whitecroſs-Street*; *Buckman*, the other Witneſs, came to me, and aſk'd me to go with him, to be concern'd in taking a Coiner: I went up along with him to this Woman's, the Witneſs. When I came up ſhe ſeem'd to be afraid, and ſaid, I have been concern'd in Coining, but am willing to leave that Trade off. Said I, How many is concern'd with you? ſhe ſaid but one; which is the Priſoner at the Bar. Her Boy went along with me to ſhew me the Houſe; but when I came in I made a little Miſtake; I ſaid, Madam, you muſt go along with me; you have been concern'd in Coining of Money. The Woman fell a crying; I ſaw the Priſoner at the Bar make a ſideling about; I ſaid, Don't you run away, for I fanſy you are the Woman. So when Mrs. *Jones* came up, ſhe ſaid, that was the Woman.

Q. As you was going before the Juſtice, had you any Talk with her?

Vernon. I cannot ſay I was very curious to have much Converſation with her; but I ſaid to her, that Coining was a very bad Trade; you have coin'd yourſelf in Rags. Said ſhe, I wiſh I had been a little ſooner, I would have turn'd Evidence: I wiſh I had been an Evidence myſelf; but now 'tis too late.

Q. (*to Mary Evans.*) Look at the Priſoner; How long have you known her?

Evans. Fourteen or fifteen Years; ſhe ſhew'd me a Pair of Moulds about ſix Weeks ago.

Q. Where did ſhe come to you?

Evans.

Evans. She came to my Apartment in *Whitecross-ſtreet*, and ſaid they were *Suſannah Jones's*.

Q. Did you look at them?

Evans. She open'd them in her Hand, and there was King *William's* Head on one Side, and croſs Bars, like ours; ſhe ſaid, that Mrs. *Jones* did this Sort of Buſineſs.

Q. Did ſhe ſay that ſhe did any Thing to it?

Evans. She ſhew'd me one Shilling, but ſhe could not put it off; but ſhe did not know how ſhe (*Suſannah Jones*) put off ſo many.

Q. Where was it ſhe ſhew'd it to you?

Evans. At my own Room.

Priſoner. May I ſpeak to Mrs. *Evans*. Mrs. *Evans*, Have you not known me ever ſince the Death of old King *George*?

Evans. Yes; and I never knew any Harm of you in my Life. When firſt I knew her ſhe kept a School at *Hoxton*; I never knew an ill Character of her. She went to Service and Charing, and did little Matters for me.

Priſoner. And you know I have lodg'd with you two or three Years together.

Evans. She never lodg'd ſo long together.

Q. Did you know this Mrs. *Jones?*

Evans. The Priſoner told me ſhe liv'd with this Mrs. *Jones* as a Servant.

Q. (*to Anne Holſter.*) What is your Buſineſs?

Holſter. My Buſineſs is to make the Plaiſter of *Paris*.

Q. Do you know the Priſoner?

Holſter. I don't know but ſhe may have been at my Houſe, but I can't very well tell.

Court. Go cloſe to her, look at her; Do you know her or not?

Holſter. I cannot ſay I do know her poſitively.

Matthew Solam. My Lord, I was charg'd by the Conſtable to aid and aſſiſt him to carry the Priſoner to *New Priſon*. She ſaid this wicked Woman has ſworn that I coin'd with her ten or twelve Years, when I have never been concern'd in making Money for above three Months paſt. I hope, when Mr. *North* comes I ſhall be admitted an Evidence; becauſe he has been try'd at *Kingſton* upon ſuch an Affair before; for *Jones* had ſaid, For God's ſake, if you inform againſt me, you will ruin me for ever. Further, the Priſoner ſaid ſhe was concern'd in putting them off, but had not coin'd with her above three Months.

Q. (*to Thomas Brown.*) How long have you known the Priſoner?

Brown. Three Months and better.

Q. What is her Character?

Brown. I have heard a good Character of her; that ſhe always has been a Working Woman.

Q. (*to Elizabeth Walton.*) How long have you known this Woman?

Walton. About ten Years; and ſhe is an induſtrious laborious Creature, and always poor.

Q. Was ſhe idle or willing to work?

Walton. Willing to work; when ſhe was ſick I have beg'd many a Shilling of her Relations for her.

Q. (*to Sarah Brown.*) How long have you known the Priſoner?

Brown. Three Months; while ſhe was with me ſhe behav'd in a very handſome Manner.

Q. How came ſhe to go from you to Mrs. *Jones?*

Brown. Mrs. *Jones* came and took her in our Houſe; ſhe ſaid ſhe could not reſt nor ſleep while ſhe was with her, and ſaid I am glad I am away from her. The Evidence, *Jones*, ſwore one Time, that ſhe would ſwear through a Deal Board to be reveng'd of her; ſhe ſwore this in my Mother-in-Law's Houſe.

Q. Did you hear *Suſannah Jones* ſay this yourſelf?

Brown. Yes, I did, at *White-Horſe-Court* in *Whitecroſs-ſtreet*.

Q. (*to Sarah Brown.*) What do you know of this Matter?

Brown. This *Suſannah Jones* took Lodgings in my Houſe: The firſt Night ſhe came ſhe made abundance of Confuſion in my Room. The next Morning I went up Stairs; I ſaid, Mrs. *Jones*, I deſire you would quit my Room. She anſwer'd me, No, d——n you, I'll ſtay the Week. I often heard knocking and Confuſion, and a Pack of Black-guards coming after her; with that I got ſhut of her. When ſhe left her Room I went to clean it, and found ſome Metal among the Aſhes.

Q. Can you ſay any Thing of the Priſoner?

Brown. I believe ſhe is a very honeſt Woman. I have known her not above a Fortnight; but I know nothing of *Wilſon* but Honeſty.

Q. (*to George Wiskin.*) How long have you known the Priſoner?

George Wiskin. About five Weeks. I was at my Couſin *Brown's*, and they have entruſted her with a great Quantity of Silver and Gold, and they never miſſed any Thing in the World.

Upon the ſumming up of the Evidence, his Lordſhip, among other Things, thus expreſſed himſelf: There are two Things very plain, that *Suſannah Jones*, the Witneſs, is an exceeding wicked Woman; that ſhe hath been concerned in this Thing for a

Matter

Matter of ten Years, and 'tis, I think, as plain, that before this Woman came acquainted with *Jones*, she was a hard-working Woman; that she was extremely concerned during the little Time she lived with her; and that she was drawn into this Practice; therefore I could have wished that *Susannah Jones* might have been prosecuted, and this poor Woman made an Evidence, &c. Acquitted.

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192. **William Hopwood** was indicted for stealing one Seat Cloth, belonging to the Coach of Sir *Richard Hoare*, Knt. and one Cloth Great Coat.

Q. (*to Richard Bayl.*) Do you know any thing of the Prisoner's stealing any Thing that belong'd to my Lord Mayor's Coach?

Bayl. The Prisoner used to be in my Yard pretty much; in *Bond*'s *Stables* one of the *Lord Mayor*'s Coaches stands there.

Q. Do you know any Thing of a Seat Cloth lost there, belonging to the Coach.

Bayl. We never discover'd it 'till the 5th of *March*; it might have been lost the 2d of *March*: We lost Sir *Thomas Bull*'s Man's Coat the 7th of *March*. The Prisoner was taken up, and he confessed he stole them, and had us to the Place where they were. Guilty.

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193. **Matthew Henderson** was indicted for murdering *Elizabeth Dalrymple*, *April* 1. Pleaded guilty to the Indictment. **Death.**

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 1.

Matthew Henderson, 193.

Receiv'd Sentence of Transportation for 7 Years, 35.

Eleanor Keith	130	*Anne Thompson*	169
Mary Field	131	*Elizabeth Foot*	166
Hester Summerton	133	*Robert Overbury*	168
Anne Darby	136	*James Bullock*	172
Mary Harris	138	*Elizabeth Lanes*	174
Jane Carter	139	*Mary Wright*	175
Mary Harris	141	*William Warden*	176
Margaret Hudlas	142	*Mary Carter*	177
John Webb	144	*John Guson*	178
John Cooley	146	*Sarah Hobbs*	180
Sarah Wade	148	*George Steers*	184
James O Marsh	152	*Anne Murphy*	188
Catherine O Marsh	153	*Elizabeth Edwards*	189
Hester Hussey	154	*William Hopwood*	192
Anne Debidy	158	*Mary Bell*	150
John Bramston	159	*Eleanor Bennett*	164
John Farley	160	*Anne Smith*	165
John Hurst	162		

To be Transported for 14 Years, 3.

Robert O Marsh	152	*Daniel Miller*	149
Thomas O Marsh	153		

To be Whipp'd 4.

William Pattree	140	*Elizabeth Jones*	147
William Hutchison	145	*Edward Halsey*	173

Burnt in the Hand, 2.

Edward Parker	132	*Alexander Patte*	161

The Rebel Prisoners taken at *Carlisle*, and committed for High Treason, were order'd to remain.

Next ensuing Sessions to begin,
On *Tuesday*, *May* 13, at *Guildhall*.
On *Thursday*, *May* 15, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On THURSDAY the 15th, FRIDAY the 16th, and SATURDAY the 17th of *May*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Fifth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER V.

LONDON:

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THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London, &c.*

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, Mr. Juſtice WRIGHT, Mr. Juſtice ABNEY, Mr. Baron CLARK, JOHN STRACEY, Eſq; Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

Middleſex Jury.	London Jury.
Samuel Anderſon,	*Richard Fleet*,
Richard Spier,	*John Gray*,
Thomas Nicholl,	*John Meriton*,
Henry Lott,	*Hugh Lake*,
Francis Harveſt,	*Joſeph Mellor*,
Samuel Swift,	*John Haſwell*,
John Clark,	*Thomas Radley*,
Robert Tunſtall,	*Edward James*,
Thomas Broomly,	*Samuel Rude*,
William Bryant,	*William Fell*,
Nathaniel Wincope,	*Abraham Dakin*,
Periam Wright.	*William Gray*.

194. **Jane Anderſon** was indicted for ſtealing two Pair of Worſted Stockings and three Linnen Handkerchiefs, the Goods of *William Price*.

Q. (to William Price.) What have you to ſay againſt the Priſoner? Do you know her?

Price. Yes.

Q. What do you ſay to her ſtealing theſe Things? Why do you charge her?

Price. She own'd them at a Neighbour's Houſe.

Q. Where are the Stockings?

Price. They are here, Sir.

Court. Look at thoſe Stockings. What are they?

Price. They are pink-colour'd Worſted Stockings; the Worſted the other Evidence has.

Q. Did you ever ſee theſe Stockings and Worſted in the Poſſeſſion of the Priſoner?

Price. No, my Lord; but I had a Suſpicion of her. She came in the Morning to pay my Wife a Farthing that ſhe ow'd her: My Wife was not come down Stairs; I was below Stairs, and I ſuppoſe ſhe took the Stockings then; the Worſted was taken the Day before; but the Evidence knows when ſhe brought them. After I found the Handkerchiefs, I found the Stockings, at a Pawnbroker's in *Marybon-Street*.

Court. Are you ſure theſe were the Stockings that were found at *Parry*'s the Pawnbroker's?

Price. Yes, my Lord; theſe were at *Parry*'s.

Q. What is your Buſineſs?

Price. A Hoſier, my Lord, and Haberdaſher.

Q. (to John Parry.) Do you know the Priſoner at the Bar?

Parry. She lodg'd Things at our Houſe three or four Times. She brought theſe Stockings to me on the 8th of *March*.

Court. You will ſwear theſe are the Stockings?

Parry. Yes, my Lord; I had them in my Poſſeſſion from that Time to this.

Q. What did you lend upon theſe Stockings?

Parry. Eighteen-Pence. My Neighbour came to ask me if I had ſeen a Pair of Stockings; I ſhew'd them to him, and the Priſoner own'd it.

Q. (to the Priſoner.) What will you have me ask this Perſon? Have you any Thing to ſay for yourſelf? You hear theſe Things are pretty ſtrong againſt you.

The Priſoner had little or nothing to ſay for herſelf, but that ſhe never did any ſuch Thing before.

Proſecutor.

Profecutor. I never heard, my Lord, that ſhe was guilty of ſuch a Crime before, by any in the Neighbourhood. Guilty 10 d.

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195. **James Carter** was indicted for ſtealing one Piece of Sacking, Value 14 s. from *Brook*'s-*Wharf*, the Goods of *John Hide*, the ſecond Day of *May*.

Q. (to John Hide.) What have you to ſay againſt the Priſoner?

Hide. I have loſt ſome Sacking out of *Brook*'s-*Wharf*.

Q. Is that your Sacking that you now produce?

Hide. Yes, Sir.

Q. When did you loſe it?

Hide. I think the 2d of *May*.

Q. What have you to ſay to the Priſoner?

Hide. The Gentleman to whom he ſold it is in Court.

Q. What do you know it by?

Hide. By the Make and Mark of it.

Q. (to the Priſoner.) Would you ask Mr. *Hide* any Queſtion?

Priſoner. Pleaſe you, my Lord, I don't know that ever I ſaw him above once before.

Q. (to Clement Corderoy.) What do you ſay of the Priſoner? How long have you known him?

Corderoy. Three Months. He brought me this Piece of Sacking, and I told him I believ'd he did not come honeſtly by it, and I ſtopt him.

Court. I think you did very right.

Q. Are you poſitive that is the Man that brought you that Sacking?

Corderoy. Yes.

James Skinner. The Priſoner at the Bar brought this Sacking firſt to me; he offer'd it to my Wife, when I was at the other Witneſs's; I told him he could not come honeſtly by it, for to ask five Shillings for what, as I told him, was worth fourteen Shillings. Guilty.

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196. **James Carter** was a ſecond Time indicted for privately ſtealing out of the Warehouſe of *John Hide*, 216 Yards of Cloth, Value 5 l. 8 s. and **Valentine Carliſle** for receiving the ſame, knowing it to be ſtolen.

Q. (to John Hide.) Look at the Priſoner. Will you tell the Gentlemen what you have to ſay againſt him?

John Hide. Here is the Sacking I was robb'd of the 2d of *May*.

Q. What Quantity?

Hide. I don't know the Quantity. Here are nine Pieces found at *London-Bridge*; I believe I have loſt a hundred Pieces. This Gentleman, Mr. *Corderoy*, ſtopt theſe.

Q. What Quantity did you miſs?

Hide. I did not miſs it 'till the 6th of *May*.

Q. What Quantity did you miſs then?

Hide. I believe by the Bulk of them in the Place, for there were two thouſand, I believe there are near one hundred Pieces gone.

Q. Do you know what is become of them?

Hide. I don't know what is become of them at all; but as I met with theſe nine which I had from Mr. *Corderoy*.

Q. What you charge the Priſoner with are here.

Hide. Yes, there are two of them.

Court. You found the nine Pieces in Mr. *Corderoy*'s Poſſeſſion?

Hide. Yes, Sir; theſe are the Cloths produced in Court.

Court. Then theſe two Pieces are yours.

Hide. Yes, Sir.

Q. How many Yards are there in theſe two Pieces?

Hide. There ſhould be twenty-four Yards in each Piece.

Q. What is the Value of them?

Hide. They are worth about fourteen Shillings a Piece, but they are valued at twelve in the Indictment.

Q. Do you know how you loſt them?

Hide. I have ſeen them ſince they ſtood in the Warehouſe, and there are little Wooden Bars, ſo they have put a Stick in and hook'd them out as you would a Handkerchief.

Q. Where is your Warehouſe?

Hide. At *Brook*'s-*Wharf*.

Q. Are you ſure that you loſt them out of the Wharf?

Hide. Yes, I am ſure of that.

Court. But you don't know who took them; you don't know it of your own Knowledge?

Hide. No, they were made for Hammocks of Men of War I made for the Government, and they have ſince taken a wider Sort, and they have been uſeleſs for a Year and a half.

Q. (to Eliz. Cart.) What do you know of this Affair?

Cart.

Cart. Pleaſe your Lordſhip, this good Woman that ſtands here, *Carliſle*, ſhe comes to our Houſe at Five o'Clock in the Morning.

Q. What Buſineſs do you follow?

Cart. I am a Sacking-Bottom Weaver's Wife. *Sarah Carliſle* comes to my Houſe before Five o'Clock; it was laſt *Tueſday* was ſe'nnight; ſhe came to let me know there were two Pieces of Cloth that were come out of a Weſt-Country Barge, and I thought it proper to let this Gentleman know of it. *Carter* the Priſoner offer'd them to Sale at our Houſe.

Court. *Sarah Carliſle* came to your Houſe to let you know there were two Pieces of Cloth upon Sale?

Cart. Yes.

Q. Did *Sarah Carliſle* deſire you to go with her?

Cart. Yes, my Lord.

Q. What then?

Cart. I conſulted with this Gentleman firſt to ſtop theſe Pieces of Cloth, becauſe I imagin'd they were not honeſtly come by. I went to Mr. *Corderoy*, the Conſtable, to conſult with him what I ſhould do in the Caſe.

Q. What then?

Cart. Then I went to Mrs. *Carliſle*'s Houſe, and found both the Priſoners there. *Carter* ſaid it was his Cloth.

Q. When you came and found the Priſoners at the Bar, who ſhew'd you the Cloth?

Cart. That Man that ſtands there in Blue-grey, *Carter*.

Q. When he ſhew'd you the Cloth, what then?

Cart. Then I ſaid, I wiſh you would carry it down to the Water-ſide. I told him, when he carried it home he ſhould have the Money for it.

Cart. Then you did not ask him the Price, nor bid him any thing for it?

Cart. No. So he carried it down to the Water-ſide: I would have had him come over the Water, if I could; but he pretended that the String of his Breeches was broke, and deſir'd this good Woman to bring him ſome Money directly. I wanted it to be carried to Mr. *Corderoy*'s, under a Pretence of having Money for it.

Q. What did *Carliſle* ſay of theſe two Pieces? Theſe two Pieces were at *Carliſle*'s Houſe?

Cart. They had a Fullpot of Beer there, and *Carter* ſaid, bring me what Money you can.

Q. (*to Sarah Carliſle.*) Are you any Relation to the Priſoner *Carliſle?*

Carliſle. Yes, Sir; I am his own Wife.

Court. Tell us what you know of this Matter then with relation to *Carter*.

Carliſle. *James Carter* brought theſe two Pieces of Sackcloth to my Houſe.

Q. What then? Did not *Carter* bid you to go and get Money for them?

Carliſle. Yes, my Lord; but I was ſtopt with the Goods.

Court. Then you went to Mrs. *Cart*'s; did ſhe or *Corderoy* ſtop you?

Carliſle. They both ſtopt me.

Court (*to Priſoner Carter.*) You hear what this Witneſs ſays; will you ask her any Queſtion?

Carter. I don't know any thing about it, but I carried the Goods down for this Man to the Water-ſide.

Q. (*to Clement Corderoy.*) What do you know of this Matter?

Corderoy. My Lord, I deal in Sacking, and I am Conſtable too. My Lord, this Mrs. *Cart* and her Huſband are Sack-Weavers; they work for me in weaving of Cloth; I have bought ſeveral Pieces of them at a Market Price, and have had ſome Suſpicion that they were ſtolen.

Q. What then, Sir?

Corderoy. That was before I had a Suſpicion that they were ſtolen. I had four before I had a Suſpicion, and I had a Suſpicion of the fifth Piece. This was on *Saturday* the 3d of *May*. On *Monday* Morning there was two more brought, and I deſir'd them to bring the Perſons to me. On the 6th of *May* they brought two Pieces with Mrs. *Carliſle*. I ask'd Mrs. *Carliſle* who ſhe had them of; ſhe ſaid ſhe they were the Property of a Perſon for whom ſhe had the Diſpoſal of them. I told her ſhe muſt not take them away, but I muſt ſtop them and her too; ſo I takes her to *Guildhall*, and was before ſome of the Sitting Aldermen, and by her Directions went to *Fleetditch*, where they ſaid *Carter* liv'd, but they ſaid that *Elizabeth Cart* had decoy'd them away.

Q. Did *Cart* bring *Carliſle*'s Wife to you at the Time appointed?

Corderoy. Yes, my Lord. *Carliſle*'s Wife and Mrs. *Cart* came together. *Carliſle*'s Wife knew nothing of me? it was done with an Intent by Mrs. *Cart*, to bring *Carliſle* to me.

Q. Are you certain as to the Pieces?

Corderoy. I am poſitive to the Pieces, my Lord.

Q. Do you know any Thing of *Carter*'s taking them, or how *Carliſle* came by them? How came you to bring *Carliſle* here: If your Witneſs ſpeaks true,

true, even *Cart* ſays *Carter* was at *Carliſle*'s Houſe, and *Carter* ſaid the Goods were his; they were *Carter*'s Goods in *Carliſle*'s Houſe; Now *Carliſle* may be a bad Man.

Corderoy. They told me *Carter* us'd to give him part of the Money.

Q. (to Carter the Priſoner) You hear theſe Goods were found upon you.

Carter. I was coming down *Fleet-Street* about Seven o'Clock in the Morning, he (*Carliſle*) aſk'd me to go home with him to eat a Bit of Victuals; while we were ſitting together, ſays Mrs. *Cart* and *Carliſle*, will you carry theſe Things down to the Water-ſide?

Q. Then you did not own them to be your Goods. You hear what *Cart* ſays; that you own'd that they were your Goods.

Q. (to the Priſoner) Have you any Witneſſes to diſprove this, or to come to your Character.

[The Priſoner had little to ſay for himſelf, nor any to appear for his Character.]

James Carter, Guilty. *Carliſle*, the Acceſſory, Acquitted.

197, 198. **William Donnington** and **Mary** his Wife, were indicted for ſtealing one Linnen Gown value 6 s. and one Apron value 2 s. the Property of *James Corrock.*

Q. (to Corrock) What have you to ſay againſt the Priſoners?

Corrock. Pleaſe you my Lord, on *Thurſday* Se'nnight this *William Donnington* came to me.

Q. Where do you live?

Corrock. In *St. Katherine*'s Lane.

Q. Did they come to your Houſe both?

Corrock. Yes. I went up Stairs but could not find any ſuch Things in the Name. When I came down the Door was open; one was within the Houſe, the other was juſt keeping the Door open; but it was not 'till the next Morning that I miſs'd the Things, and I had nobody come in but a Woman of good Character; ſo I made Enquiry after theſe People, but could not find them 'till *Saturday* Morning. When I took them they confeſs'd they had pledg'd the Gown and checqu'd Shirt; when I found them on *Saturday* Morning about Eight o'Clock, the Woman, ſhe roll'd and twiſted the Apron about ſo, that ſhe had about her Middle, that I did not ſee it at the firſt. I ſaid this is the Apron I loſt.

Q. What then, did you find any Thing elſe upon them?

Corrock. No, my Lord. Then I charg'd a Conſtable with them, and I told them, if they had a Mind to make any Confeſſion where the Goods were, if the Juſtice of the Peace would acquit them, I would, could I have my Goods.

Q. What then, did they make any Confeſſion?

Corrock. Yes. my Lord. I was along with the Conſtable when they made the Confeſſion. The Huſband confeſs'd that how they both had them in their Poſſeſſion; that the Woman had pledg'd the Gown for 4 s. and confeſs'd where they ſold one chequ'd Shirt and a chequ'd Apron. It was the Man made the Confeſſion.

Q. Did he ſay at what Place he ſold the Things?

Corrock. Near *Wellcloſe-Square.* in *Roſemary-Lane.*

Q. Did you go to *Roſemary-Lane* when they had told you; or did you go to the Place where they had pledg'd the Gown?

Corrock. They had pledg'd the Gown in *New-Street*, and I went after it and had it of one *Dupee*, I think.

Q. (to the Priſoner) Will you aſk this Witneſs any Queſtion?

Priſoner. No, my Lord.

Q. (to Benjamin Rickel-worth) What do you know of this Matter?

Rickel-worth. My Lord, I am an Officer belonging to *St. Katherine*'s. Mr *Corrock* came to my Houſe with the two Priſoners at the Bar, the 10th of *May.*

Q. Well, what then?

Rickel-worth. Then I took them into Cuſtody, and carry'd them to an Alehouſe oppoſite to where I liv'd.

Court. The Proſecutor ſaid he had loſt two Aprons, a Shirt, and a Gown.

Rickel-worth. We ſat down to drink a Pot of Beer, he (the Proſecutor) ſaid that was one of the Aprons about the Woman's Side. She took it off and gave it me.

Q. Did ſhe acknowledge that it was his?

Rickel-worth. I can't ſay ſhe did. The Proſecutor ſaid he could ſwear to it.

Q. (to the Proſecutor) How do you know that Apron?

Corrock. I know it becauſe I had it in Cheque before it was made up. And my Servant made the Apron.

Q. Have you any particular Marks to it? For there are a great many Pieces of Cheque alike.

Corrock. And I charg'd them with the other

Things, and ſhe ſaid they had them in *Roſemary-Lane.*

Q. (to the Conſtable) What did the Woman ſay when you charg'd her with the Apron?

Rickelworth. I can't tell what ſhe ſaid, but it was but little. She ſaid I might take it if it was his; I was welcome to it.

Q. What were the other Things he ſaid he bought in *Roſemary-Lane?*

Rickelworth. The Gown and Shirt were pawn'd in another Place.

Q. (to the Priſoner) You hear what this Witneſs ſays.

Priſoner. Pleaſe you my Lord, I was going home to *Roſemary-Lane*, and bought theſe Things at the End of the *Minories*; a Gown, two Aprons and a Shirt.

Q. Did you give them them to your Wife?

Priſoner. Yes, my Lord.

Q. Have you any Body here to prove that, or to your Character?

Priſoner. I have Friends, but I had not Money to ſend for them.

William Donnington Guilty, his Wife Acquitted.

William Donnington and *Mary* his Wife were a ſecond Time indicted for ſtealing four Woollen Bed-Curtains value 6 s. one Blanket value 5 s. and one Braſs Frying-Pan, *&c.* The Goods of *Richard Stevens.*

Court. (to Stephens) Look at the Priſoners, what do you charge them with?

Stephens. I charge them with robbing me of my Things in my Room.

Q. Where do you live?

Stephens. In *Whitechappel-Road.* I let theſe for 2 s. a Week.

Q. Who did you let the Lodgings to?

Stephens. To the Man. He gave me 6 d. Earneſt.

Court. Then the Woman was not with him when you let it.

Q. What did you let with it? What Furniture was there in it?

Stephens. Pleaſe you my Lord, there was Bed and Bedding, and Table, and Chairs, and Grate, *&c.* I let theſe Things with it.

Court. Tell us what Things there were in the Room.

Stephens. Pleaſe you my Lord there was a Bed in the Room, a Cheſt, a Fire-ſhovel, Poker, Pillows, Blankets, *&c.* I loſt a Blanket, pleaſe you my Lord, and a Pair of Sheets, and a Woollen Rug, a Frying-Pan, and a Saucepan, a Candleſtick, a Napkin and Pillowbeers. I loſt theſe Things out of the Lodgings whilſt the Priſoner *Donnington* lodg'd there.

Q. How long was this ago?

Stephens. Five Weeks ago laſt *Monday.*

Q. When did you miſs the Goods?

Stephens. I did not miſs them 'till laſt *Saturday* Morning.

Q. Why do you ſay the Priſoner had them?

Stephens. I was going out of the Door laſt *Saturday* Morning about Six o'Clock. My Buſineſs is a Fiſh-Meeter at *Billingſgate.* So they took an Opportunity to carry theſe Things out when my Wife was a-Bed and a Sleep. I ſaw them carrying a Bundle. So I overtook them? I ſaid, what are you going away? No, ſaid he, I am coming back to pay you at Night. I ſteps home again and takes a Ladder and goes in at the Window, and there I miſs'd the Goods. I went after them down to *St. Katherine*'s, and there I found they were in the Cuſtody of *Rickelworth.* The Priſoner carried the Rug out that Morning

Q. Have you got the Rug here?

Stephens. No.

Q. Why did you not bring it?

Stephens. I did not know I ſhould?

Q. What other Things did he own that he took?

Stephens. I got a Search Warrant and ſearch'd the Houſe of Mr. *Smith* and Mr. *Corrock*; alſo a Napkin and Saucepan I found at Mr. *Corrock*'s.

Q. And where did you find the Curtains?

Stephens. At Mr. *Smith*'s in *St Katherine*'s-*Lane.* He had ſold the Blanket and Sheet at Mr. *Jones*'s, in *Black-Horſe-Yard.* I went with a Search Warrant to this Broker's, and they had ſold them. My Lord I want to know how I may get theſe Things again, for there are four or five of theſe Brokers join together to make a publick Sale every Month.

Q. (to the Proſecutor.) What have you to ſay againſt the Woman? Why do you indict her?

Court. (to William Donnington. You hear what this Man ſays; will you aſk him any Queſtions, or make your Defence? Have you any Witneſs to the contrary, or any Witneſſes to your Character. The Priſoner had nothing to ſay in his Defence.

Guilty. Wife Acquitted.

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199. **Samuel Watſon** ſtands indicted for robbing *Jane*, the Wife of *George Morris*, of a Scarlet Cloak; and alſo for robbing *George Morris*, of

of 8 s. and putting them in bodily Fear of their Lives, the 24th of *January*.

Q. (*to Jane Morris.* What have you to ſay againſt the Priſoner?

Morris. I am poſitive, Gentlemen, he was the Man that robb'd me the 24th of *January*.

Q. What Time of the Day or Night?

Morris. As near as I can gueſs, the 24th of *January*, a Quarter before Eight o'Clock.

Q. Was you alone?

Morris. No, Sir; there were two with me, my Huſband and another.

Q. What is your Huſband? Where do you live?

Morris. In *Tottenham Court Road.*

Q. What is the Name of the other Perſon that was with you?

Morris. *Joſeph Aſhborn.*

Q. What does he follow?

Morris. He follows no Buſineſs at all, but lives upon what he has.

Court. Now tell what was done to you.

Morris. He (the Priſoner) took my Cloak from me.

Q. Was he by himſelf?

Morris. No, my Lord, there were two more Men with him.

Q. How do you know this was the Man?

Morris. This was the Man that clapp'd the Piſtol to my Huſband's Breaſt, and I am ſure this Man (the Priſoner) laid Hold of my Cloak.

Q. What is become of your Cloak?

Morris. I never had it.

Q. This Man (the Priſoner) laid hold of me, and ſaid he would blow my Brains out, becauſe I made a Noiſe, when my Huſband throw'd me over the Bank to make my Eſcape; the Moon ſhone in the Priſoner's Face at the Time he robb'd us; he was in Soldier's Cloaths, and his Coat was turn'd the wrong Side outwards.

Q. Do you know any Thing of the other?

Morris. My Lord, if I was to ſee them I can't ſay I know them, becauſe they run ſwiftly before me.

Priſoner. My Lord, pleaſe to aſk her whether I had a plain Hat or a laced Hat.

Morris. I can't directly ſay, but I think a plain Hat.

Council for the Priſoner. Madam, you ſay this Robbery was about the 24th of *January*, and it was Moon-light, pray how many Perſons were in Company?

Morris. My Huſband and this Gentleman.

Q. How came you to be ſo particular to know this Perſon more than the other two.

Morris. The others run ſwiftly by us, this Man ſtopt us.

Q. Pray had he a Wig on, or his own Hair?

Morris. His own Hair, he had a Soldier's Coat turn'd blue.

Q. Are you ſure it was blue?

Morris. Yes.

Q. (*to George Morris.* What do you ſay to this *Samuel Watſon?*

Morris. We were coming from the Halfway Houſe, the Place call'd *Mother Red Cap's*, the Friday Night the 24th of *January* laſt; when we were coming over the Fields, I was talking that in all my Life I was never attack'd; to this *Joſeph Aſhborn* ſaid, nor I. When we came over the Fields, we met three Soldiers with their Cloaths turn'd, one of them had ſomething over his Face. *Joſeph Aſhborn* ſays, Couſin, ſtand ſtill, let the honeſt Soldiers come by. Two came by, and this *Samuel Watſon* moved away from the Place to let us by; when we came up to the Poſt, I ſaid, Honeſt Friend, why don't you get out of the Way to let me come by; with that (I don't know but that I might ſwear at him to get out of the Way) he clapped his Piſtol to my Breaſt, No Words, No Words, ſaid he, if you do, I'll blow your Brains out; with that I took my Wife into my Arms, and lifted her over the Bank; ſhe ſeeing the Piſtol, cry'd out; he ſaid, D——n you, you B——h, if you ſpeak another Word, I'll blow your Brains out; when I lifted my Wife over the Bank, he catched my Wife by the Cloak, and the other took Hold of the other Side. With that ſhe ſlipt her Head out, and away ſhe run, ſo he ſtopt me, and fell a rifling of me; ſhe loſt the Cloak, and this *Samuel Watſon* kept it in his Hand; then after that I believe he dropt it on the Ground. The other Man goes back to *Joſeph Aſhborn*, and knock'd him down with a Bayonet. I ſaw the Bayonet in the other Man's Hand. The Priſoner he took my Watch, and I am ſure to 7 s. but to the beſt of my Remembrance he had Eight between the Poſt; he took my Money.

Q. What did he do more to your Wife?

Morris. He did no more to my Wife. When I came up to *Tottenham Court*, I found my Wife almoſt frighten'd to Death upon a Heap of Stones.

Q. Where did you live before?

Morris. In *Earl-Street*; there I paid Twenty Guineas a Year to one *Thomas Parker* in *Weſtminſter*.

Q. What

Q. What was your Buſineſs before?

Morris. I am a Baker by Trade, and I follow it now.

Q. (*to Joſeph Aſhborn.* I was an Innkeeper by *Tottenham Court Road.*

Q. What Inn did you keep there?

Aſhborn. The *Red Lyon.*

Court. We underſtand *Morris* is ſome Relation to you.

Aſhborn. Yes, Sir.

Court. Now give an Account of what you know of this Affair.

Aſhborn. We had been at *Mother Red Cap*'s to eat a fat Pig there, and this happen'd on coming back.

Q. How many in Company were there of you?

Aſhborn. There were three of us, and there were three Men that we met.

Court. Give an Account of what paſſed.

Aſhborn. One of the Men held a Piſtol at *George Morris*; I look'd at him, and ſaid are you in Jeſt or in Earneſt, and one of them whips out a Piſtol againſt my Breaſt; I up't with my Stick, and took him a-croſs the Noſe and Eyes, I hit him ſuch a Blow as to beat him backward; I beat them both ſo a-croſs the Noſe, that they fell a Top of one another. When I found one had got Hold of my Foot to take my Buckles away, I gave a Plunge to drive them away. I made ſuch a Defence, that I would neither let them have my Watch, Money, nor Buckles.

Q. What became of the Woman?

Aſhborn. She run away up to *Tottenham Court*, and ſwooned away upon a Heap of Stones, with that the Soldiers riſe up at *Tottenham Court* to take theſe Men.

Q. Did you know who apprehended him?

Aſhborn. It was he that carries the Priſoners backwards and forwards.

Court to the Priſoner. Now is your Time to make your Defence.

Priſoner. Pleaſe you, my Lord, I never wrong'd any Body in the World.

Q. (*to Iſaac Williams.* Do you know the Priſoner?

Williams. I knew him my Lord in *Flanders.*

Q. How has he behav'd?

Williams. He has behav'd very well while he was abroad; he throwed off his Pay the 17th or 18th of *February.*

Abraham Bradford. Do you know the Priſoner?

Bradford. Yes.

Q. How long have you known him?

Bradford. I have known him ever ſince he came from *Ghent*; he behaved very well abroad; I know little more about him.

John Huſon. I know nothing of the Priſoner, my Lord; but ſince he came to us from *Flanders* I have known him to do his Duty very well as a Soldier; I have known him for 18 Months.

Q. What Trade is he?

Huſon. A Breeches-maker by Trade.

Q. (*to Jonathan Williams*) How long have you known the Priſoner?

Williams. About 22 Years.

Q. What Trade are you?

Williams. A Glover by Trade; I have nothing to ſay; he carried nothing away from me; I never heard a bad Character of him.

Q. (*to Matthew Hall*) How long have you known the Priſoner?

Hall. I have known him 10 or 11 Years; he has work'd with me backwards and forwards; he always worked like other Men, and behaved very well.

Q. How long is it ſince you have employ'd him?

Hall. Not ſince he came from *Flanders.*

Q. (*to Robert Bedwin*) What do you ſay about the Priſoner?

Bedwin. I have always known him to be a Man of a good Character; I have known him five or ſix Years, my Lord; he rented a Houſe of me three or four Years ago, and his Father and Mother and all lived together, and I never heard an ill Character of him.

Q. (*to John Brown*) What is your Buſineſs?

Brown. I am a Carpenter; I have known the Priſoner for ſeven Years; I never heard the Man was guilty of Swearing, or the like; I have one Thing to ask, that is, what Day the Robbery was committed; for upon the 16th of *April* I can prove he was three or four Hours at my Houſe, and brought home theſe Breeches.

Q. Where do you live?

Brown. At *Cow Croſs*; the Proſecutor is a Man of a very bad Character, my Wife has known him for 14 Years.

Reply. It's bad if your Wife knows him better than you.

Q. (*to Benjamin Thomas*) What do you know of the Priſoner?

Thomas. When he worked for me he behaved very well; but ſince he has been in the King's Service, I have not known him. Death.

200. **Samuel Watſon** and **James Taylor** were indicted for aſſaulting *William Parran*, and putting him in Corporal Fear and Danger of his Life, and for ſtealing from him one Pair of Silver Shoe Buckles, one Silk Handkerchief, Value 12 d. one Tobacco Box tipt with Silver, Value 18 d. 20 s. in Money, *&c.*

Q. (to William Parran) Do you know the Priſoner? and how long have you known him?

Parran. The Priſoner (*Watſon*) I know; this Soldier was along with me lighting of me.

Q. What do you ſay to the Fact the 3d of *April*.

Parran. I was robbed between Eight and Nine, as I was going home from *Golden Lane* to *Tottenham Court*, where I lodged.

Q. Where do you lodge?

Parran. I lodged at one *Fuller*'s, at the *King*'s *Head*.

Q. What Time was that?

Parran. It was about Nine o'Clock at Night.

Q. Was it dark?

Parran. Yes, dark Night.

Q. Was any Body with you?

Parran. Yes, this Soldier.

Q. What is his Name?

Parran. Thomas Sheppard.

Q. What did he light you with?

Parran. With a Link, Sir. I went from *Golden Lane* to *Clerkenwell*; there I ſtopt at a Grocer's to buy ſome Sugar, and bought a Link in *Mutton Lane* to light me; I gave the Soldier a Dram at a Publick Houſe; when we came into *Pancras Field* we met three Men.

Q. How were they dreſs'd?

Parran. I could not ſo perfectly ſee their Dreſs; but I believe *Watſon* was in a blue Coat, to the beſt of my Knowledge.

Q. What was the other in?

Parran. The other was muffled, with a brown Coat about his Chin; but I can't be ſo poſitive.

Q. How came you to be more poſitive to *Watſon* than *Taylor*?

Parran. Becauſe *Watſon* was the Man that took the Things out of my Pocket. I had not got thirty Yards in the Field but *Watſon* ſaid firſt, D——n your Eyes, Soldier, put out the Light, or we will blow your Brains out.

Q. Do you think the Priſoner, *Watſon*, ſaid theſe Words?

Parran. Yes.

Q. Why do you pitch upon him?

Parran. My Lord, he riffled me. There were three of them; one came on one Side, and the other on the other Side, and the Third held the Piſtol to my Head.

Q. Who held the Piſtol?

Parran. I take that to be *Taylor*.

Q. Now what was done after this?

Parran. My Lord, they took from me 20 *s.* and upwards: The Man that ſtood at a Diſtance d——nd them for being ſo long. *Watſon* took 20 *s.* in Silver, or better.

Q. Where was it?

Parran. In my Breeches Pocket.

Court. In no Purſe?

Parran. No, my Lord, looſe in my Pocket: Alſo the Shoe-Buckles out of my Shoes, the Knee-Buckles out of my Knees, my Hat off my Head, a Tobacco-Stopper tipp'd with Silver, a Tobacco-Box, a Memorandum-Book, and all my Papers.

Q. Can you tell in particular what *Watſon* took?

Parran. I believe he took the biggeſt Part of the Things. He tore the Lining of my Pocket out; he took the Hat off my Head, and put on an old one.

Q. What Buſineſs are you?

Parran. I am aboard a Man of War; I am Steward.

Q. Have you any thing further?

Parran. When I deſir'd him not to take my Pocket-Book, he ſaid, D——n your Eyes, I'll blow your Brains out.

Council for the Priſoner. Mr. *Parran*, How came you ſo particularly to diſtinguiſh *Watſon* from the other Soldier? How can you pretend to ſay that he was the Perſon that ſpoke thoſe Words, for you never ſaw him before?

Parran. I ſaw him, I think, the *Monday* afterwards.

Q. Where did you ſee him?

Parran. I ſaw him at *Clerkenwell-Bridewell*; I went there accidentally, and they ſtopp'd him.

Q. Do you think you ſhould know the third Perſon?

Parran. I can't ſay particularly.

Q. (by the Priſoner to the Proſecutor) *Parran*, What had you on?

Parran. I believe a plain Hat; I believe you put your own upon me.

Q. (to Thomas Shepard.) Do you know *Watſon* or *Taylor*?

Shepard. I can't ſay I did; I take him by his Voice.

Q. Do you remember the lighting the Gentleman over the Fields?

Shepard. Yes.

Q. Was

Q. Was there an Attack made?

Shepard. Yes; but what he loſt I can't tell: I can't ſay any thing but his Voice: He ſaid, D——n your Eyes; and I think 'twas *Watſon.* When the Gentleman beg'd the Favour to have his Pocket-Book and Papers, then he ſwore, D——n your Eyes.

Court. (to the Priſoner) What have you to ſay in general?

Priſoner, I told Mr. *Broom* that I had a Pair of Breeches that I thought would do very well for him, if he would buy them; they indeed were too big for him, and I told him I could make them fit. I carried the Breeches to my Brother, and did them there; and I carried them to Mr. *Broom*'s, and went back again, and ſtay'd 'till Ten o'Clock.

Q. (to Taylor the Priſoner.) *Taylor,* What is your Defence?

Taylor. I went to my Brother's Houſe, and got a Steak, and it was near Four o'Clock before I went to bed.

Bryant Watſon. I went to the Proſecutor's Houſe, or that which he ſaid was his Habitation, after they were committed to *Bridewell*; when I came there, he never laid there but one Night, and they could not tell the Place of his Habitation.

Court. You are Brother to the Priſoner.

Watſon. Yes.

Court. You ſaid before it was *Thurſday* in *Eaſter Week*, the 16th of *April.*

Watſon. I ſaid no ſuch Thing, my Lord. On *Thurſday*, at Two o'Clock, in *Eaſter Week* (I live in *Chiſwell-Street*) he came over to me, and ſaid, Brother, I have got a Chap for this Pair of Breeches we made laſt Week; he is to give thirteen Shillings. They did not exactly fit, but I ſaid, I can alter that. I ſaid, go to the Clogſter's, and buy the Buttons. Now he had got a Pair of Breeches, belonging to Mr. *Broom*'s Boy, before; and he ſaid to me, Brother, if you will go along with me, we ſhall have ſomething to drink, *&c.* I ſaid, Brother, I cannot go, I am to attend upon ſuch a one, *&c.* I went to my Brother in *Bridewell*, and ſeeing his Irons I was ſorry. I was half nappy, as I am almoſt now. I ſaid, Don't fear any thing, Brother, and left him. I then went to my Aunt to tell her the Story, and ſhe cry'd ſadly.

The Priſoner's Brother, *Bryant Watſon*, had threaten'd the Witneſs highly to be the Death of him, *&c.* and he behav'd with ſo much Inſolence in Court, that his Lordſhip ſaid he would commit him.

Q. (to Rebecca Willis) Do you know any thing of the Priſoner, *Taylor*; what is his Character?

Willis. I never heard any thing to the contrary of his having a very honeſt Character; he would not wrong a Worm. He came to my Houſe and deſir'd ſomething for ſupper. He went to Market, and bought ſome Steaks; and I never ſaw him out of the Houſe that Night.

Q. (to Robert Willis.) What do you know of *Taylor?*

Willis. I was with him when he eat his Beef Steaks at Mrs. *Willis*'s: I was with him from Seven to Ten. *Watſon* Guilty. **Death.** *Taylor* Acquitted.

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201. **Walter Roberts** was indicted, for that he, not having the Fear of God before his Eyes, and being mov'd by the Inſtigation of the Devil, on the 24th of *April*, in and upon one *Thomas Blackwell*, did wilfully, and with Malice and Forethought, with his Right Hand, ſtrike and ſtab, in the Left Breaſt, the ſaid *Thomas Blackwell*, and gave him one mortal Wound, the Breadth of Half an Inch; and did felonioufly kill and murder, *&c.*

Q. (to Samuel Dew) What do you know of the Death of *Samuel Blackwell?*

Dew. When I came into *Golden-Lane*, next Door to a Cook's-Shop, I ſaw the Priſoner.

Q. What Part of the Town is that?

Dew. Near *Old-Street.*

Q. What Time was that?

Dew. It was on the Rejoicing Night for the Victory.

Q. What Buſineſs are you?

Dew. A Cooper.

Q. What Time of the Night was it?

Dew. About Duſk.

Q. Do you know the Priſoner at the Bar?

Dew. I know him by Sight; but before this Fact was done I did not know him. There were ſome Fellows making Game at the Priſoner as he was going home: Preſently after I ſaw the Inſtrument that kill'd the Deceas'd; it ſeem'd to be Three-ſquare, like a Bayonet.

Q. Had it any Handle to it, any thing to take hold of?

Dew. I cannot tell. There were ſome Men making Game of the Priſoner near his own Door; and he went in, and came out again with this Inſtrument in his Hand; and upon the Priſoner's coming up, the Deceas'd clos'd in with him. Upon ſeeing this, one Mr. *Holland* went to part them; and as he made his Endeavour, the Smith, the Priſoner, and the Deceas'd, reel'd back a little Way, and the

the Deceas'd dropp'd down, and never ſpoke a Word, but died immediately; and *Roberts* went in at the Door, and ſhut it after him.

Q. Where did you firſt ſee *Roberts* and the Man that is dead? What was the Deceas'd?

Dew. A Brewer's Servant.

Q. What was the Brewer's Servant doing?

Dew. He was talking to *Roberts*; but I did not mind what it was.

Q. How far was it from *Roberts*'s Houſe?

Dew. It was the next Door.

Q. Upon the Mens talking to *Roberts*, what did he ſay?

Dew. I can't tell the Words.

Q. How far was you gone from them?

Dew. About two or three Yards.

Q. How long was *Roberts* gone into the Houſe to fetch this Inſtrument?

Dew. A very little while.

Q. Had he the Inſtrument before he went into his Houſe?

Dew. No.

Q. You ſaid ſomething of their making Game at him; What did they make Game at him for?

Dew. They ſeem'd to ſhame him for going into the Houſe, and would not ſtay to ſcold at them, I ſuppoſe.

Q. Now tell us in what way he came out.

Dew. He came out in a great Paſſion.

Q. Did you ſee any Wound?

Dew. Yes, Sir.

Q. What ſort of Wound was it?

Dew. But a little Wound; it was under his Ribs, or thereabouts.

Q. How long were they clos'd in before they parted them?

Dew. A very little while.

Queſtions to Dew *by the Council for the Priſoner.*

Q. Was there a Mob at the Door a little before the Murder was done?

Dew. There was ſome People about there.

Q. Was the Soldier there with his Piece; was the Soldier there at the Time when the Miſchief was done?

Dew. The Soldier was thereabouts.

Q. Was not this the Night there was the Rejoicing for the Victory of *Culloden?*

Dew. Yes.

Q. Did you hear no Converſation from the Priſoner and the other about breaking of Windows?

Dew. The People were talking of it afterwards.

Q. Can you be poſitive that the Priſoner was not within-ſide of his Groundſel when they had the Scuffle?

Dew. He was not.

Q. When they were in the Scuffle and clos'd, how far were they from the Houſe?

Dew. About the Middle of the Street.

Council. You ſaid ſomebody endeavour'd to part them, and they ſtagger'd toward the Houſe, and juſt before the Door the Man fell down dead.

Dew. Yes.

Q. Pray did not the Deceas'd inſiſt upon it that he was Man enough for the Priſoner, and he would fight him?

Dew. I did not hear that.

Q. (*to William Harris.*) What have you to ſay about this Matter?

Harris. As my Wife and I were walking thro' *Whitecroſs-Street* into *Playhouſe-Street*, and coming into *Golden-Lane*, I heard Mr. *Roberts* and the Deceas'd have many Words: The Deceas'd ſaid he would lay Half a Crown with him; Mr. *Roberts* ſaid, then he muſt pawn his Shirt for Half a Crown.

Q. Where is the Thing this was done with?

Harris. That could not be found.

Court. You ſay they clos'd in.

Harris. Yes, my Lord, and I ſaw ſomething glitter.

Q. Well, what follow'd?

Harris. With that Mr. *Holland* ran to part them, and laid hold of the Deceas'd; with that Mr. *Roberts*, the Priſoner, ran into his Houſe, and the Deceas'd dropp'd down and never ſigh'd nor groan'd.

Q. Did you ſee the Soldier there?

Harris. Yes.

Q. Did you hear any Talk of putting out Lights becauſe of the Rejoicing?

Harris. Yes.

Q. (*to Elizabeth Carliſle.*) Do you know the Priſoner at the Bar?

Carliſle. Yes; I have known him about three Quarters of a Year.

Q. What do you know of this Affair?

Carliſle. As I was going home I heard the Deceas'd and the Priſoner have Words.

Q. What was the Quarrel about?

Carliſle. I heard the Deceas'd ſay he would fight him for Half a Crown, if he would lay down his Arms.

Q. Did you ſee *Roberts* with any Arms?

Carliſle. No, my Lord; after that Mr. *Roberts* ſaid, he lay Half a Crown! he had not Half a a Crown, nor a Shirt to his A—e; after that Mr. *Roberts* turn'd himſelf to go home, and the De-

ceas'd

ceas'd ſaid he would fight him for Half a Crown, if he would lay down his Arms: Then, when Mr. *Roberts* was going to his own Door, the Men ſet up a Laugh; with that Mr. *Roberts* ſtepp'd into his Houſe, and preſently came out again, and he clos'd with the Deceas'd, and gave him two Blows on his Side, and then gave him the Wound.

Q. How do you know that he gave him the Wound?

Carliſle. He had ſomething of a bright Weapon in his Hand, I did not know what. Mr. *Holland* took hold of the Deceas'd, and parted them; and he never ſpoke another Word.

Q. What Time of the Night was that?

Carliſle. I believe, between 10 and 11 o'Clock.

Q. (to James Seal.) What are you?

Seal. A Brewer's Servant.

Q. What do you know of this Matter?

Seal. Pleaſe you, my Lord, as I was going from my Work the Night the Rejoicing was, there was a Bonfire made at the Upper-end of *Golden Lane*. I went to the Bonfire, and as I ſtood by the deceas'd Man, this *Roberts* and he had ſome Words.

Q. Was you there at the Beginning of the Quarrel?

Seal. My Lord, I was not at the Beginning. The deceas'd Man was by the Fire, and there was ſome Windows that had not Lights put up; and they were talking round the Fire ſide of breaking Windows; with that *Roberts* came to the Fire-ſide, and he and the Deceas'd had ſome Words.

Q. What were the Words?

Seal. I can't tell. With that *Roberts* goes back to his own Houſe, and a little after he came again, and ſeveral more Words paſſing, they went towards *Roberts*'s Door. With a great many Words the Deceas'd challeng'd to fight *Roberts* for Half a Crown: With that *Roberts* takes up the Flap of his Coat, and ſaid all the Cloaths that he had upon his Back were not worth Half a Crown. Said the Deceas'd, if they are not worth Half a Crown, I have Half a Crown in my Pocket, for which I will fight you: With that, when *Roberts* came out again, he ran at the Deceas'd, and they collar'd one another, and ſcuffled 'till they had got juſt at the Threſhold of *Roberts*'s Door: I ſaw *Roberts* make an Offer of ſtriking, but did not ſee any Weapon, or any Blow ſtruck. That was all that I ſaw of it, my Lord.

Q. Did you ſee the Man dead?

Seal. Yes, I ſaw the Man dead.

Q. What Time of the Night was it?

Seal. I believe it was about half an Hour after Ten.

Court. You ſaw no Weapon?

Seal. No Weapon at all, pleaſe you, my Lord.

Q. (to the Priſoner.) Will you aſk this Witneſs any Queſtions.

Priſoner. Sir, I don't know any thing of the Man?

Q. Did you ſee that Soldier there?

Seal. Yes.

Q. Had he his Piece?

Seal. Yes.

Q. (to William Scarborough.) What have you to ſay about this Matter?

Scarborough. I ſaw Mr. *Roberts* come to the Deceas'd, and ſaid he would ſhoot him as dead as one of the Rebels.

Q. What did they quarrel about?

Scarborough. My Lord, I can't ſay I ever heard this Fellow, the Deceas'd, ſpeak a Word to him: I ſaw *Roberts* go back to his own Houſe, and ſaid d——n Duke William and all the Family; muſt I have my Windows ſhut up?

Court. Well then he was complaining that his Windows were ſhut up, and he was angry?

Scarborough. I can't ſay what he was angry at, except it was ſhooting at the Bonfire; though this Fellow, the Deceas'd, never ſhot nor ever gave any Provocation, as I heard; I ſaw them cloſe in, and *Roberts* had a Weapon in his Hand; but what it was I cannot tell.

Council for the Priſoner. Was you there at the Beginning of the Fire? Was not there ſome Guns fired at ſome People's Windows? and were no Windows broke that Night?

Scarborough. I can't ſay that they were.

Q. Pray why ſhould he addreſs himſelf ſo particularly to the Priſoner? Did not you hear that it was by reaſon of a Lodger in his Houſe that the Priſoner could not light Candles?

Scarborough. I know nothing of that.

Q. (to John Holland.) What do you know concerning this unhappy Affair?

Holland. Sir, As I was coming from the *George* Alehouſe in *Old-Street*, and paſſing by the Bonfire in *Golden-Lane*, many Words paſs'd between the Deceas'd and Mr. *Roberts*: The Deceas'd follow'd him to his Door; *Roberts* ſteps in and comes out again, and they were engag'd with one another; *Roberts*'s Wife was pulling him by the Skirt: I ſtepp'd in and ſaid don't fight; I caught hold of the Deceas'd and he fell down.

Q. Why, he appear'd very ſtrong in his ſcuffling with the other, did he not?

Holland. He appear'd very ſtrong, and ſaid, let

me

me alone, I ſhall manage him; or ſome ſuch Thing.

Q. Then you apprehend he receiv'd the Miſchief then, do you?

Holland. I can't tell.

Q. What Wound was it?

Holland. It was a Wound under the Rib.

Q. How big was it?

Holland. A little Hole, that you might put a Straw into it.

Q. Did you ſee the Body open'd?

Holland. Yes, Sir.

Q. Who call'd you to aſſiſt?

Holland. *Roberts*'s Wife, that they might not fight.

Q. (*to Richard Hawes.*) What do you know of this Matter?

Hawes. My Wife and I, and a young Man, a Cooper, went out into the City, and as we return'd back, about a Quarter after Ten, we came to the Bonfire; I ſaw the Deceas'd, and ſeveral more, follow Mr. *Roberts* hollowing and hooting; when *Roberts* had got upon the Stone of his Door, ſays the Deceas'd, ſtand away, I warrant you I am Man enough for him; with that they clos'd, they might be the Space of half a Minute: Mr. *Holland* caught hold of the Deceas'd that they might not fight; as ſoon as Mr. *Holland* had laid hold of the Deceas'd a Woman takes hold of *Roberts* and gets him into his Houſe; with that they ſaid immediately the Man is kill'd; I ſaid kill'd the D—l, for I did not ſee a Blow ſtruck. I ſaw another Man with a Gun; he ſaid he would fire at them. I went over and ſaw the dead Man lie againſt the Priſoner's Window.

Oſborne Skinner. At the *Goat* Alehouſe the poor Fellow, the Deceas'd, was ſinging a merry Song; Mr. *Roberts*, the Priſoner, came in and call'd for a pennyworth of Beer, and a Gentleman ſubpœnied by Mr. *Roberts*, who is now in Court, was there; there were no croſs Words paſs'd at that Time, the Liquor was brought in and we drank the Duke's Health; Mr. *Roberts* ſaid they magnify'd their Loſs and leſſen'd our own: I aſk'd him to drink the Duke's Health, and he ſaid no; then I ſaid you are a Rebel. A little after that a Woman came in and ſaid to me, Mr. *Skinner*, *Roberts* has kill'd *Blackwell*; I went and ſaw the Man dead; they had put on a Patch over it; when I ſaw the Hole it look'd black, but not ſo big as my Finger. Pleaſe you, my Lord, that Man, *Roberts*, ſaid he would do for me. That Night I broke open his Houſe, but he was gone; the next Morning I took him myſelf, at the *King's Arms* oppoſite *Chiſwell-Street*.

Q. (*to the Priſoner.*) Would you aſk this Witneſs any thing?

Priſoner. Mr. *Skinner*, did I refuſe to go with you? becauſe you ſaid you took me.

Q. (*to Joſeph James.*) Are you a Surgeon?

James. Yes, Sir, I have about two Months to ſerve of my Time.

Q. Did you ſee the dead Body?

James. Yes, Sir, when I came there was a Puncture in the Breaſt, about two Fingers below the Nipple.

Q. Which Breaſt?

James. The Left Breaſt, an Inch below the Nipple, or thereabouts.

Q. How deep?

James. I believe about four or five Inches deep, quite pierc'd through the Heart, and was immediate Death.

Q. How wide was it?

James. I believe about half an Inch.

Q. What do you ſuppoſe it to be done with?

James. It ſeems to be a Triangle.

Q. (*to the Priſoner.*) What do you ſay for yourſelf?

Priſoner. I depend upon God's Mercy and the Juſtice of this honourable Court.

Q. (*to James Haws.*) Did you ſee the Priſoner and the other Man that Night the Rejoycing was for the Victory?

Haws Yes.

Q. Did you ſee the Beginning of the Quarrel?

Haws. I was at the Bonfire, and there were ſome Soldiers looking all about it for Stones to put in their Guns, at which Time the Deceas'd call'd one of them by his Name, and ſaid he wonder'd he had ſo much Patience with Mr. *Roberts*.

Q. (*to John Cooper.*) Do you know the Priſoner at the Bar?

Cooper. Yes, I have known him for ſeven or eight Years paſt, and I never ſaw him malicious or any thing of that Kind, but willing to do a good Action.

Q. (*to William King.*) Do you know the Priſoner at the Bar?

King. Yes, I think he is a good temper'd Man.

Q. Then you know nothing extraordinary of him, one way or another?

King. No, my Lord, we work'd in one Shop.

Q. (*to* ——— *Nicks.*) What have you heard Mr. *Skinner* ſay?

Nicks. I am Headborough to St. *Luke*'s Pariſh; I went along with him and we broke the Priſoner's

Door open; we were there a Couple of Hours, and in that Time the Priſoner at the Bar made his Eſcape: The Clerk belonging to the Brewhouſe aſk'd us to go to take part of a Pot of Beer at the Taphouſe, and what I heard *Skinner* ſay was this; that the Priſoner at the Bar had ſaid many treaſonable Words, and that if he did not leave talking ſo he would have him taken up as a diſaffected Perſon.

Court. And he was to be commended for it.

Q. (*to Oliver Banks.*) How long have you known the Priſoner at the Bar?

Banks. I have known him for a conſiderable Time, and have paid him ten Pounds at a Time for Work; he alter'd me three Guns and a Piſtol before theſe Wars: I maintain two Soldiers myſelf; and he ſaid to me, I have a Blunderbuſs, and if it was charg'd I would ſhoot the Pretender through the Head.

Q. (*to* ——— *Dukeſon.*) Was you by at this Quarrel?

Dukeſon. I was going to *Old-Street*; I paſs'd by the Fire and ſaw two Men quarrelling; the Deceas'd ſaid to this Man, you are a Rebel, a Villain and a Roman; he deſir'd that he would let him alone; but the Deceas'd ſaid that he would fight him for Half a Crown, and that he could knock his Head off; when the Priſoner got to his own Door the Deceas'd ſtruck him two or three Times, and the Mob drawing near he ſaid to them, let me alone, I am Man enough for him; but the Priſoner was taken into his own Houſe by the Mob, or went in himſelf, I can't ſay which.

Q. Was the Priſoner's Door ſhut?

Dukeſon. It was open, to the beſt of my Knowledge.

Court. *Nathaniel Brown*, give an Account of what you know of the Fact.

Brown. I was in the Company of Mr. *Skinner* and Mr. *Roberts* about half an Hour before this Affair happen'd, and the Deceas'd and the Priſoner did not change a Word: I have known the Priſoner for ſome Time, and never heard any Harm of him before this Affair happen'd. Guilty of Manſlaughter.

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202. **Jane Bundy** was indicted for ſtealing one Ounce of Silk, the Goods of *Dorothy Lucas.*

Q. (*to Dorothy Lucas.*) Do you know the Priſoner?

Lucas. Yes, ſhe is my Apprentice.

Q. When was ſhe your Apprentice?

Lucas. She is my Apprentice yet.

Q. What is your Buſineſs?

Lucas. Winding of Silk.

Q. What do you charge her with?

Lucas. With robbing me when I was in Bed and aſleep.

Q. Did ſhe come to your Bed-ſide?

Lucas. Yes, ſhe came by my Bed-ſide.

Q. What Silk was it that you loſt?

Lucas. Soft Silk.

Q. Why do you ſay an Ounce?

Lucas. An Ounce my Maſter charg'd me with.

Court. So your Maſter charges you with an Ounce of Silk, and you charge it upon the Girl.

Lucas. She confeſs'd it.

Q. Is it an eaſy Matter to miſs ſuch a little Quantity as an Ounce of Silk? When did they charge you with it?

Lucas. They charged me with it the *Saturday* following.

Court. Then we ſuppoſe you want to get rid of your Apprentice, ſo you take this Way.

Lucas. No, I don't deſire to get rid of her, if ſhe will be good.

Dorothy Dangy. She own'd ſhe took it out of her Miſtreſs's Box; the Child is but thirteen Years of Age.

Q. How came ſhe to own it to you?

Dangy. She own'd to me, as well as to her Miſtreſs, that ſhe took it out of the Box.

Court. You did not ſee her take it, nor have it in her Cuſtody.

Dangy. She ſaid ſhe ſold it in *Whitechapel.*

Court. I ſuppoſe you threaten'd her, or ſomething of that.

Lucas. No, I did not threaten her; I gave her good Words.

Q. Whoſe Silk was it that you took to wind?

Lucas. *James Goodwin*'s and *Abraham Goger*'s. Acquitted.

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203. **Anne Burn** was indicted for ſtealing one Cotton Gown, Value 8 s. four Linnen Napkins, Value 2 s. one Gold Ring, Value 9 s. the Goods of *Mary Taylor*, on the 31ſt of *March.*

Q. (*to Mary Taylor.*) Did you loſe any Thing on the 31ſt of *March?*

Taylor. Pleaſe you, my Lord, I went to Bed, and this young Woman I thought was going to Bed too. She was with me four Days and no more.

Q. After that, what happen'd?

Taylor. At Night I went to Bed, and thought that ſhe was going to bed. In the Morning, when

I got up, the Door was open, and ſhe had not been in Bed: I had great Reaſon to ſuſpect that ſhe was the Perſon that got the Things; and ſhe never came any more.

Q. What did you miſs?

Taylor. I miſs'd four Napkins, Shift-Sleeves, a Gold Ring, one Silver Salt, taken out of the Children's Pocket.

Q. How came you to find her out?

Taylor. Pleaſe you, my Lord, ſhe was taken in *Whitechapel.*

Q. Why did you charge her?

Taylor. Pleaſe you, my Lord, there was one Mrs. *Aſhly* who came to ſee me on *Eaſter-Monday*; ſhe took her with a Hat upon her Head, which ſhe own'd was mine; with that ſhe ſent for me; and when I came, the Priſoner confeſs'd that ſhe was in Liquor when ſhe did it, or ſhe ſhould not have done it; which I believe. She ſaid, ſhe ſat down at the End of *Field-Alley* to ſleep, and the Ring was taken out of her Pocket.

Q. Have you any of the Things that you are ſure are your's?

Taylor. Yes, here's the Hat; as for the Gold Ring, ſhe ſays that ſhe has loſt it.

Q. Did you find any Thing of the Napkins again?

Taylor. Only one old one that the Gown was wrapt up in.

Alice Hooper. Pleaſe you my Lord, I was the firſt Perſon to whom ſhe confeſs'd ſhe had taken the Things.

Q. (*to John Salter.*) What have you ſay to this Matter?

Salter. I had this Hat and Handkerchief from the Priſoner as ſhe was before the Juſtice.

Q. (*to Thomas Birch.*) What are you?

Birch. A Pawnbroker.

Q. What have you got there?

Birch. I have got a ſtriped Cotton Gown.

[It was produced in Court.]

Court. Shew it to Mrs. *Taylor.*

Q. Is that your Gown?

Taylor. Yes.

Q. (*to Thomas Birch.*) How came you by it?

Birch. She brought the Gown, and wanted ſix Shillings; I bid her five: She ſaid, ſhe wanted ſix Shillings; I offer'd her five.

Q. (*to the Priſoner.*) What have you to ſay for yourſelf; how came you by the Hat?

Priſoner. Pleaſe you, my Lord, ſhe lent it me.

Q. How came you by the Napkins and Gown?

Priſoner. Pleaſe you my Lord, I was going down to ſee my Couſin on board a Ship, and ſhe lent me the Gown. Guilty.

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204. **William Hoyles** was indicted for ſtealing two Quilted Petricoats from a Hedge in *Finchley-Common*, the Goods of *John Burton*, the 19th of *April.*

Q. (*to Burton*) Do you know this *William Hoyles?*

Burton. My Wife told me the Hedge was robb'd. The Things were loſt from *Finchley-Common*; they were hung out upon the Hedge. I purſu'd him and took them from him.

[The Priſoner had no Witneſs to ſpeak for him, and ſeem'd a poor, Vagabond Creature. He ſaid he had ſerv'd his Majeſty 25 Years.

Guilty.

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205. **Jane King** was indicted for ſtealing one Pair of Diamond Ear-Rings, value 30 s. the Goods of *Frances Barrs*, the 16th of *April.*

Q. (*to Barrs*) Do you know the Priſoner at the Bar.?

Barrs. Yes, my Lord, ſhe was my Servant; ſhe left my Service the 15th of *April*: I miſs'd the Ear-Rings about an Hour after ſhe was gone.

Q. How long did ſhe live with you?

Barrs. Only a Week, my Lord: She came again the next Morning after ſhe went away; I did not immediately charge her 'till I had got ſomebody in the Houſe.

Q. (*to the Priſoner.*) Would you aſk your Miſtreſs any Queſtions?

Priſoner. I did not take them willfully.

Q. (*to James Burgeſs.*) What do you know of this Matter?

Burgeſs. I was ſent for by Mrs. *Barrs*; I am Beadle; ſhe ſaid there was a Difference between a Maid Servant and her over Night, and that in the mean time ſhe miſs'd a Pair of Diamond Ear-Rings; but ſhe would not charge her 'till ſhe had made a diligent Search for them. I ſaid to the Maid, if you know any thing of them tell your Miſtreſs, to put her out of her Fears; but there was a Gentleman in the Houſe, one Mr. *Ruſſel*, who inſiſted to know were ſhe lodg'd that Night; ſo ſhe ſaid ſhe was to pay Three-pence and ſit up all Night: Her Miſtreſs aſk'd her how ſhe came by that Three-pence, as ſhe had no Money when ſhe went away; ſhe then ſaid ſhe had pawn'd her chequ'd

checqu'd Apron for 18 d. at ſuch a Pawmbroker's; then we went to enquire where ſhe ſaid ſhe had been over Night; and by what I heard of her Character I thought it was ſufficient to go back again and make an Enquiry: At firſt ſhe ſtifly deny'd it, but afterwards came to a Confeſſion; ſhe confeſs'd ſhe had them, and deliver'd them to me, and I deliver'd them to Sir *Thomas De Veil.*

Court. Sir *Thomas*, give an Account of this Affair.

De Veil. My Lord, the Priſoner at the Bar was brought by this Witneſs before me, and deliver'd theſe Ear-Rings.

Q. (*to Mrs. Barrs.*) Madam, are theſe the Ear-Rings you loſt?

Barrs. Yes, my Lord, they are my Daughter's, *Frances Barrs.*

Q. (*to Sarah Thompſon.*) Do you know any thing of this Woman, the Priſoner?

Thompſon. She was with me at work; but had I heard ſo much of her before as ſince, ſhe ſhould not have been employ'd by me. Guilty, Tranſportation.

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206. **Anne Weſton** was indicted for ſtealing a Silver Spoon, value 15 s. the Property of *William Laban*, Eſq;

Q. (*to Samuel Parr.*) What have you to ſay againſt the Priſoner at the Bar?.

Parr. She is the Perſon, pleaſe you, my Lord, that did actually take the Silver Spoon from one *William Laban*, Eſq; in *Boſworth-Court*, *Cary-Street.*

Q. What are you?

Parr. I am Mr. *Laban*'s Servant, my Lord.

Q. Where was it found?

Parr. In St. *Anne's*, *Blackfryars.*

Q. Did you know the Spoon again?

Parr. Yes, my Lord, I have the Fellow to it.

Q. (*to George Harriſon.*) Where had you this Spoon?

Harriſon. She brought it to me to pledge; I am Servant to Mr. *Grainger*; I am poſitive to her, my Lord; I was the Perſon that took her and carried her before my Lord Mayor.

Q. How did you find her out?

Harriſon. By the Woman that came after her.

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtions?

Priſoner. My Lord, I carry'd it there to pledge; my Lord, I found the Spoon, and I carry'd it there to pledge on *Saturday* Night; he told me he would have me to advertiſe it; I went to ſee whether he had advertis'd it, but he had not, but ſtopp'd me; I lodg'd in *Blackfryars*; I had been to ſee after a Place at St. *Dunſtan*'s Church and was to go to it on *Monday*; I was hir'd by the Miſtreſs.

Q. What don't you know her Name?

Priſoner. They live up a Court, they are Hatters by St. *Dunſtan*'s Church; her Name is *Littleton*, pleaſe you my Lord. Guilty.

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207. **John Finch** was indicted for ſtealing a Cloth Coat, value 20 s. two Cloth Waiſtcoats, value 10 s. and a Bed Quilt, the Goods of *Richard Jackſon.*

Q. (*to Richard Jackſon.*) What have you to ſay againſt *John Finch?*

Jackſon. Pleaſe you, my Lord, there was a Box broke open at the Sign of the *King's Head* in *King's Head Court*, in the Pariſh of St. *Gregory.*

Q. When was that?

Jackſon. We miſs'd them the 13th of *April*; I miſs'd my Coat and two Waiſtcoats.

Q. Did you miſs any thing elſe?

Jackſon. Yes, a Bed Quilt.

Q. What made you charge the Priſoner at the Bar with them?

Jackſon. Pleaſe, my Lord, we took him up upon a Suſpicion and he confeſs'd theſe Things; he confeſs'd he had pawn'd the Waiſtcoat and Coat for 7 s. 6 d.

Q. Where did you find the Things?

Jackſon. We found the Bed Quilt, &c. at one Mr. *Darking*'s.

Q. Have you the Things again?

Jackſon. Yes, I believe the moſt of them. Guilty.

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208. **Samuel Gardner** was indicted for ſtealing a Wooden Till, value 6 d. two Silver Buttons, value 1 s. a Silver Button waſh'd, value 3 d. a Key, value 1 d. and 4 d. ½. the Goods of *Thomas Barns*, in *Plough-Alley*, *Wapping*, on the 9th of *April.*

Q. (*to Thomas Barns.*) Look at the Priſoner; what have you to ſay againſt him? Did you loſe any Goods at any Time?

Barns. I loſt that Till.

Q. What is it made of?

Barns. It is made of Wood.

Q. When did you loſe it?

Barns. I loſt it the 9th of *April.*

Q. What

Q. What was there in it?

Barns. Four-pence Half-penny and ſome Silver Buttons, &c.

Q. From whence did you loſe it?

Barns. From my Shop, the Corner of *Plough-Alley, Wapping.*

Q. Did you loſe any Thing elſe?

Barns. Nothing elſe at that Time, as I know of.

Q. What were the Buttons worth?

Barns. They might be worth 18 d.

Q. Do you know how you came to loſe them?

Barns. They were brought back to me.

Q. When did you miſs them?

Borns. I miſs'd them the 9th of *April*; they call'd me out of Bed and brought the Priſoner to me.

Q. Who brought theſe Things to you?

Barns. Theſe two young Men in my Neighbourhood.

Q. Was that the Till that was loſt?

Barns. Yes.

Q. (*to Robert Moon.*) What do you know of this Matter?

Moon. I found the Priſoner making away theſe Things in *Plough-Alley.*

Q. When?

Moon. I think the 9th of *April*, at Night.

Q. Making away with what Things? theſe Drawers, Silver Buttons, &c.

Moon. Yes.

Q. What do you mean by making away with theſe Things?

Moon. He was making off with them.

Q. What then?

Moon. Then I laid hold of him; we were told by two or three little Boys that he had ſtole theſe Things.

Q. What Time did you meet with him?

Moon. About Eight or Nine-o'Clock at Night.

Q. Did you aſk the Priſoner any Queſtions how he came by them?

Moon. He ſaid he found them in the Street; and before the Juſtice he ſaid the ſame.

Q. Was you before the Juſtice with him?

Moon. Yes.

Q. Now can you recollect, upon your Oath, what paſs'd there? Was he aſk'd how he came by them?

Moon. I can't recollect what paſs'd before the Juſtice of Peace.

Q. (*to Ab. Humm.*) What do you know of this Matter?

Humm. I know we took theſe Things upon the Priſoner.

Q. When?

Humm. The 9th of *April* laſt, I think.

Q. Are you ſure theſe are the Things you took from the Priſoner?

Humm. Yes.

Q. Where was it that you took them?

Humm. In *Plough-Alley*; there were three Children that ſaw him take them, and we ſtopp'd him upon what was told us by the Children.

Q. Where did you carry theſe Things to?

Humm. We carry'd them to *Thomas Barns*, and he own'd them.

Q. (*to the Priſoner*) Now what have you to ſay for yourſelf? have you any Witneſs to call to contradict what has been ſaid, or any Witneſſes to your Character?

Priſoner. Pleaſe you, my Lord, I have a Mother, ſhe is big with Child, and is not able to ſtand. Guilty 10 d.

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209. **Sufannah Thornton** was indicted for ſtealing a Camblet Coat, valne 20 s. and a Waiſtcoat, value 20 s. the Goods of *William Hudſon*, on the 28th Day of *April.*

Q. (*to William Hudſon.*) What have you to ſay againſt the Priſoner?

Hudſon. I charge her with ſtealing a Coat and Waiſtcoat on the 28th of *April*; I put them into the Drawer and lock'd it, at my Lodgings at *Mary Barnes's*, in *Delahaye-Street, Weſtminſter.*

Q. What is the Coat made of?

Hudſon. Silk Camblet. I put them into the Drawers the 28th, and I found them the 30th.

Court. You don't know who took them away.

Hudſon. Sir ſhe (the Priſoner) pawn'd them.

Q. Did you hear that ſhe own'd them?

Hndſon. Yes. Before the Juſtice.

Court. You ſay ſhe confeſs'd before the Juſtice. As ſhe was confeſſing, was he writing?

Hudſon. I thought ſo.

Court. You thought ſo, then let that be return'd.

Q. Did ſhe ſign any Confeſſion?

Hudſon. No, Sir. But ſhe ſaid it was true.

Q. Now will you tell us what ſhe did confeſs before the Juſtice?

Hudſon. The Juſtice ſaid to her, that I laid theſe Things to her Charge that ſhe took them, and he aſk'd her whether that was true; and ſhe ſaid that it was true.

Q. Was that the Queſtion he aſk'd her?

Hudſon. Yes, Sir.

Q. Did the Priſoner tell you where ſhe had pawn'd them?

Hudſon. Yes. At the three blue Balls in *St. Martin's-Lane.* She own'd ſhe took the Waiſtcoat and pawn'd it for Half a Crown; then ſhe took the Coat the ſecond Time, and put them in her own Name for 7 s. 6 d.

Q. Did you redeem them?

Hudſon. No. I took them away and brought the Pawnbroker before the Juſtice, by his Order.

Court. (to the Priſoner) You hear what this Witneſs ſays; that you told him that you pawn'd them at the three Blue Balls, and for three Half Crowns, and you confeſs'd before the Juſtice that it was true? Did you know this Woman before?

Hudſon. My Landlady let her lay there out of Charity.

Q. (*to George Caddy*) What do you know of this Affair?

Caddy. One *Margaret Penterton* brought me this Waiſtcoat. Afterwards ſhe came with the Priſoner at Night; and the Priſoner put them both in her own Name.

Q. And what had ſhe upon them?

Caddy Seven Shillings Six-pence.

Q. So you lent the Woman the three Half Crowns. Did you aſk her how ſhe came by them? Did you know the Priſoner?

Caddy. No.

Q. Did you know the other Woman before?

Caddy. Yes. I have ſeen her before.

Q. Do you take in ſuch Sort of Things of any Body?

Caddy. The other Woman came along with her.

Court. I don't find you know much of the other Woman. So you aſk'd her no Queſtions at all how ſhe came by them. What was the other Woman's Name?

Caddy. Margaret Penterton.

Court. Then you lent but three Half Crowns upon them?

Caddy. They wanted more Sir.

Q. Are you ſure the Priſoner came at Night, and brought the Coat, and order'd the Waiſtcoat to be put in her Name.

Caddy. I can't poſitively ſay; but I believe it to be her.

Q. Do you know any Thing more of it?

Caddy. No. I don't know any more of it.

Q. But Sir, do you make it a Practice of taking Things in that Manner of People you know nothing of?

Q. (*to the Priſoner*) Will you aſk this Witneſs any Queſtion?

Priſoner. No.

Q. (*to Thomas Cook*) What do you know of this Matter?

Cook. Pleaſe you my Lord, I am Conſtable.

Q. Of what Pariſh?

Cook. The Pariſh of St. *Margaret's, Weſtminſter.* I had a Warrant brought me to take the Priſoner up, by the Proſecutor, *Hudſon.* She confeſs'd the taking the Coat and Waiſtcoat out of this Man's Lodgings.

Q. In what Manner did ſhe confeſs it?

Cook. To the beſt of my Knowledge he aſk'd her whether ſhe took the Coat and Waiſtcoat from this Man's Lodgings.

Q. Did he aſk her whether ſhe took it from Mrs. *Barnes's* Lodgings that Night? tell me the Juſtice's Queſtions in his own Words.

Cook. He aſk'd whether ſhe took the Coat and Waiſtcoat at this young Man's Lodgings. And ſhe confeſs'd ſhe did.

Q. Was that the whole of his Queſtions?

Cook. Yes.

Q. Did ſhe confeſs any Thing more?

Cook. He aſk'd her what ſhe had done with them.

Q. Well, what then?

Cook. That ſhe had carry'd them to the Pawnbroker's and pawn'd them for three Half Crowns, in *St. Martin's-Lane*; as to the Pawnbroker's Name ſhe could not tell. Whereupon he order'd me to take her away to the *Round Houſe.* The next Morning he granted Mr. *Hudſon* a Search Warrant: Accordingly we went to Mr. *Caddy's*, in *St. Martin's-Lane*; we takes the Woman at the ſame Time from the *Round-Houſe*, and brings her before the Juſtice, and the Pawnbroker at the ſame Time, and ſhe was committed to the *Gatehouſe.*

Q. (*to the Priſoner*) You hear what is ſaid againſt you. What have you to ſay for yourſelf? Have you any Witneſſes?

Priſoner. No, my Lord. Guilty 39 s.

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210. **Joſeph Walters** was indicted for ſtealing 3 Fowls, Value 4 s. the Goods of *William Goodſon.*

Q. (*to Goodſon*) What have you to ſay againſt the Priſoner at the Bar? What Trade are you?

Goodſon. A Poulterer.

Q. Have you loſt any Thing?

Goodſon. My Wife caught the Man taking the Fowls.

Q. (*to Elizabeth Goodſon*) Do you know the Priſoner at the Bar?

Elizabeth

Elizabeth Goodſon. I happen'd to be out one Afternoon, the 15th of *April*, the Duke's Birth-Day. When I came home I found my Door wide open: When I came home it was almoſt Ten o'Clock at Night: I found the Street-Door wide open.

Q. The Shop Door?

Elizabeth Goodſon. Yes. When I came into the Shop I ſaw the Priſoner taking the Fowl off the Shelf.

Q. Had he taken it off the Shelf?

Elizabeth Goodſon. I aſk'd him whether he was a Cuſtomer; he turn'd himſelf about and ſaid nothing; I aſk'd him what Buſineſs he had there; and he made me no Anſwer: He had the Fowl in his Hand, and two more wrapp'd up in a Brown Linnen Apron. He kept the Fowl in his Hand, and endeavour'd to come by me with the one Fowl in his Hand and two in his Apron.

Q. Did he go off with them?

Elizabeth Goodſon. He ſaid let me come by. I got him hold by the Arm, and I told him he ſhould not ſtir any further; and I deſir'd my Friend to hold him 'till my Huſband came; and my Huſband came out, and we then ſecur'd him. My Huſband got the Beadel of the Pariſh, and two Conſtables to carry him off.

Q. Did you get the Fowls from him?

Elizabeth Goodſon. Yes, my Lord. He dropp'd them upon the Floor, the one in his Hand and the two in his Apron.

Q. Was he carrried before the Magiſtrate?

Elizabeth Goodſon. Yes, my Lord.

Q. Have you any Thing more to ſay?

Elizabeth Goodſon. I have no more to ſay.

Q. (*to Henry Humphrys*) Do you know any Thing of this Fact?

Humphrys. My Lord I am Conſtable. When he (the Priſoner) came to the Watch-Houſe, he had an Apron tied up like a Haberdaſher's, a newiſh Apron. I aſk'd him what Trade he was; he ſaid he ſold Whips and made Whip-cord: Then I aſk'd him about taking Gr. *Goodſon*'s Fowls, and he did not at all deny it.

Q. Did he ſay any Thing?

Humphrys. He ſaid nothing but what he had the Fowls. In his Side Pocket he had this very Thing in my Hand when he was carried to the Watch-Houſe. [This Inſtrument was produced in Court; it had a long Handle, and about ſeven or eight Inches of Wire ſet in it, and hook'd at the End. A fit Inſtrument to lift up Saſhes, and draw any Thing out of Shops or Windows.]

——— *Green.* I am Beadle. Mr. *Goodſon* came to me to the Watch-Houſe; I went with him to his Houſe. When I was bringing the Man from his Houſe, I aſk'd him how he could go into the Man's Shop to take the Fowls away, you know it was not your Property: Whereof I examin'd him, and he could not deny but he had two Fowls in his Apron. My Lord he own'd that he had taken the Fowls, to me.

Q. (*to the Priſoner*) What have you to ſay to this Charge, ſworn upon you by theſe three Witneſſes?

Priſoner. My Lord I went out the Duke's Birth-Day at Night, and I drank a little Drop, and I went to buy a Fowl; and going to take one down the Gentlewoman came in. I knock'd, the Door was open.

Q. Have you any Witneſſes to prove it? Who was to eat the Fowl? How many did you go to buy?

Priſoner. My Lord, only one.

Q. (*to Thomas Pearſe*) What are you by Trade?

Pearſe. I am a Sadler by Company, and a Whipmaker by Trade: The Priſoner lives by *Cold-Bath-Fields*. I have known him almoſt five Years.

Q. Do you know what Way of Life he follows?

Pearſe. He trades about the Town and Country.

Q. What, is he a Hawker?

Pearſe. Yes.

Q. And has he paid for what he has bought?

Pearſe. I know ſeveral of my Acquaintance have entruſted him, I never knew any Thing of this, 'till Five o'Clock in the Afternoon.

Q. (*to Peter Runbo*) How long have you known the Priſoner at the Bar?

Runbo. He has ſold Goods for me.

Q. Where do you live?

Runbo. In *Gray*'s-*Inn-Lane*.

Q. What does the Priſoner follow? It ſeems he underſtands ſome Part of the making. Have you ſeen the Inſtrument produced, that is not made Uſe of in your Trade of Whipmaking?

Runbo. No, my Lord.

Q. (*to Frances Pearſe*) Are you any Kin to the firſt Witneſs?

Pearſe. No, my Lord. My Huſband was here at Four o'Clock, but was obliged to go home. Sir he (the Priſoner) lodged at my Houſe, but he never wronged me, which he might have done many a Time.

Q. Did he lie at your Houſe the Night before he was taken up?

Pearſe. I did not know of it 'till the next Morning; he ne'er was out 'till Ten o'Clock all the Time he was at our Houſe. Guilty.

211, 212. **Mary Jones** and her Mother **Elizabeth Jones**, were indicted, the firſt for ſtealing one Ounce of Silver Wire, Value 8 s. and two Ounces of Gold Wire, Value 16 s. and the latter for receiving it, well knowing it to be ſtolen, the 19th of *March*.

Q. (to Hannah Hern.) What have you to ſay againſt either of the Priſoners at the Bar?

Hern. The 22d of *February* I weigh'd up my Stuff, then I loſt a Quill of Silver Wire; the 26th of *March* I weigh'd my Stuff again, and I loſt a Quill of Gold Wire and a Quill of Gold Plate.

Q. What became of them?

Hern. When I found I had loſt them, I cry'd thoroughly; I tax'd my little Girl, my Apprentice, with it: I cry'd bitterly; ſhe put her Hand round my Neck, and deſir'd that I would not cry. I got a Warrant for the Mother and Child both.

Q. Where do you live?

Hern. In *Golden-Lane*, in the Pariſh of St. *Luke*'s.

Q. How much did you loſe?

Hern. I loſt two Ounces of Silver, and an Ounce of Gold.

Q. So you had a Warrant for them, and had them before a Magiſtrate; and what paſt there? what did ſhe ſay?

Hern. She (the Girl) ſaid ſhe took the Quill of Wire out of my Drawers, and hid it behind the Bedſtead 'till *Sunday*; then ſhe took it out, and her Mother was to meet her at St. *Luke*'s, which ſhe did, and her Mother went home directly, and the Girl went into the Church. The Girl told the Juſtice that her Mother ſet her on; next ſhe told the Juſtice, that ſhe unty'd my Bag, and took two Quills, and hid them in the ſame Place that ſhe did the Silver Wire?

Q. Did ſhe deliver that at *Cripplegate* Church?

Hern. Yes, ſhe gave it her.

Q. Have you any thing more to ſay? Did the Mother ſay any Thing?

Hern. She denied it poſitively. I ask'd the Girl before the Juſtice; *Mary*, did not you tell your Mother on *Eaſter Sunday* the Grief and Trouble I was in? Yes, ſaid the Girl, Mother you know I did.

Q. (to Paul Hern.) Do you know any Thing of the Priſoners?

Hern. I was before the Juſtice with the Girl, and ſhe own'd ſhe robb'd her Miſtreſs of the three Quills, and gave them to her Mother, that was all. The Child is but thirteen Years of Age. Acquitted.

213. **George Ogleby** was indicted for ſtealing Part of a Leaden Gutter, of 50 lb. Weight, Value 5 s. 6 d. the Goods of *Thomas Moor*, the 9th of *May*.

Q. (to James Beſt.) What have you to ſay againſt the Priſoner at the Bar?

Beſt. On *Friday* the 9th of this Month I was going by an empty Houſe of Mr. *Moor*'s, at the End of *Finch-Lane* in *St. Martin's in the Fields*. Some of my Neighbours told me, there was a Perſon had brought ſome Lead out of the Houſe: I went up to him, as he was ſtanding with ſome Lead in his Hand. When I came to him, he ſaid he was ſent for it. I ask'd him if he had any Key; he ſaid, No. I then ſaid, Are you ſent to get in at the Window? He ſaid, he was ſent for it by a Perſon in *St. Giles's*.

Q. What Lead was it that you found in his Cuſtody?

Beſt. It was Part of a Leaden Gutter; it might be about 50 or 60 lb.

Q. What then?

Beſt. He told me he would not ſtay, he inſiſted upon taking the Lead away. I turn'd myſelf about, and ſeeing many of my Neighbours there, I ask'd them what I ſhould do; they adviſ'd me, by all Means, not to let him go. I was ſpeaking about ſending for Mr. *Pearſe* the Conſtable, and ſoon he came, and I charg'd the Conſtable with him.

Q. Do you know any thing more of this Matter?

Beſt. I had him before Sir *Thomas De Veil*, and he begg'd I would ſhew him as much Favour as I could.

Q. Did he confeſs any thing before Sir *Thomas*?

Beſt. Yes, to his Clerk.

Court. What were the Clerk's Words?

Beſt. He ſaid, Do you acknowledge the ſtealing of this Lead. He then immediately down'd upon his Knees, and begg'd that I would ſhew him Mercy. He ſaid it was Neceſſity that drove him to it.

Q. What Time of the Day was it he enter'd this Houſe and took the Lead?

Beſt. About Nine o'Clock.

Q. Did he appear frighten'd like a Thief when he was taken?

Beſt. The Priſoner ſaid he was in Liquor, and could not tell what he did. Guilty.

*** The great Length of many extraordinary Trials this Seſſions makes it abſolutely neceſſary to publiſh them in two Numbers, the latter of which will be publiſh'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On THURSDAY the 15th, FRIDAY the 16th, and SATURDAY the 17th of *May*.

In the 19th Year of his MAJESTY's Reign.

BEING THE

Fifth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

PART II. NUMBER V.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

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THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

214. **Rebecca Wooley** was indicted for ſtealing a Bruſſels Lace Handkerchief, a Damaſk Napkin, a Silver Spoon, a Silver Tea Tongs, and one long Lawn Apron, the Goods of *Lucey Jones*, the 15th Day of *March*.

Q. (*to Lucey Jones*) What have you to ſay againſt the Priſoner at the Bar? Do you know her?

Jones. She was my Servant, and theſe are the Goods I produce, that ſhe robb'd me of upon the 14th of *March*.

Q. What were the Things that ſhe took? what are thoſe Things in your Hand?

Jones. A Bruſſels Lace Handkerchief, a Damask Napkin, a Silver Spoon, Silver Tea Tongs, and one Lawn Apron.

Q. And how came you by theſe Things again?

Jones. She brought them, my Lord; I ſent for a Neighbour, and he made her believe he was the Conſtable; at laſt ſhe told me ſhe would bring the Things if I would forgive her.

Q. Did ſhe go away when ſhe robb'd you, or continue with you?

Jones. She continued with me 'till the next Day, my Lord.

Q. Then ſhe continued with you when ſhe produced the Things?

Jones. Yes, my Lord; ſhe took them the 14th, and brought them the 15th.

Q. Where was it that ſhe own'd ſhe took them?

Jones. At my Houſe, my Lord; I carried her before Sir *Thomas* the 15th of *April*.

Q. What Diſtance of Time in owning the Robbery, and carrying her before Sir *Thomas De Veil*?

Q. How came you not to carry her before ſome Magiſtrate before the 15th of *April*?

Jones. My Lord, I had forgave her, but ſhe grew very bad: She went to one Mr. *Lawrence*, and took up two Gallons of Brandy in my Name, &c.

Q. (*to the Priſoner*) Will you have this Witneſs asked any Queſtions?

Priſoner. Madam, Did I not ſerve you very juſtly before? if I had had a Mind to have robb'd you, I could have done it every Day.

Jones. Pleaſe you, my Lord, ſhe lived with me about five Years and a half ago, and the ſecond Time I took her, ſhe was not with me above a Week before ſhe robb'd me.

Q. (*to William Jones*) What have you to ſay againſt the Priſoner at the Bar?

Jones. Mrs. *Jones* came to my Houſe the 15th of *March* laſt, and deſired me to come to her Houſe, that her Maid had robb'd her; I went to Mrs. *Jones* about Eleven or Twelve o'Clock; when ſhe open'd the Door, ſhe ſaid this is your Priſoner, you muſt take Care of her.

Q. What are you?

Jones. I was to make the Priſoner believe I was the Conſtable; upon that I ſaid, young Woman, what made you rob your Miſtreſs of a Silver Spoon, &c.? ſays ſhe, I know nothing of it. I ſaid, don't you know the Conſequences of it? I would have you give your Miſtreſs the Spoon, &c. and I will not have you before Sir *Thomas De Veil*. At laſt of all ſhe beckon'd to her Miſtreſs, and went into the Paſſage, and her Miſtreſs came in with wringing Hands, and ſaid, here's my Silver Spoon, 'tis upon her, and the Tea Tongs that I knew nothing of.

Q. Was the Spoon produced?

Jones. Yes.

Q. Who produced it?

Jones.

Jones. I can't ſay whether the Miſtreſs or the Maid; ſhe ſaid ſhe hoped her Miſtreſs would be merciful, it was the firſt Fact, and ſhe would never do the like again

Q. Was there any Thing further?

Jones. Yes, a great deal; I told her to mention all, and her Miſtreſs would be favourable to her.

Q. Were there any of theſe Things produced?

Jones. Yes, the Spoon, Handkerchief, *&c.*

Q. Did ſhe ſay any Thing further? or have you any further Evidence againſt her?

Q. (to the Priſoner) Would you have the Witneſs ask'd any Queſtions?

Priſoner. No, my Lord, I have no Queſtions to ask.

Q. (to Mary White) What have you to ſay againſt the Priſoner at the Bar?

White. I accidentally came into Mrs. *Jones's*, the Proſecutrix.

Q. What was it you heard?

White. I heard her Miſtreſs tell her to produce the Things, and ſhe would be very favourable to her.

Q. Was there any Thing produced while you was there?

White. She produced the Napkin, Spoon, and Tea-Tongs.

Q. Was there any Thing ſaid after ſhe beckon'd her out and came in again?

White. No, my Lord, but ſhe begg'd that her Miſtreſs would forgive her.

Q. (to the Priſoner) Will you ask this Witneſs any Queſtions?

White. Did you hear of any Thing being asked about the Spoons?

Priſoner. I asked how many Spoons there were?

White. I ſaid there were three in the Beaufet; then the Priſoner ſaid I ſhall have a ſad Hallobiloo, for there are but two.

Q. (to John Webb) What have you to ſay upon this Occaſion?

Webb. I know nothing of this Robbery, but I heard her confeſs it before Sir *Thomas De Veil*: I only went with this Gentlewoman as an Acquaintance of her's

Q. Was there any Promiſe made to her to produce that Confeſſion?

Webb. None, as I heard of.

Q. (to the Priſoner) Now is your Time to make your Defence?

Priſoner. If I had had a Mind to rob my Miſtreſs, I could have done it every Day.

Q. (to the Priſoner) Have you any Witneſſes?

Priſoner. No. Guilty.

215. **Mary Fox** was indicted for privately ſtealing five Shillings and Sixpence, from *Timothy Seamans*, the 10th of this Month, in *St. Peter's, Cornhill.*

Q. (to Timothy Seamans.) What have you to ſay againſt the Priſoner at the Bar.

Seamans. Laſt *Saturday* Night, coming from *Biſhopſgate-Street*, there was a Woman that ſaid to me, Whither are you going? I ſaid, going home. She aſk'd me if I would give her a Glaſs of Wine? I ſaid it was too late, it was Time to go home. There were to or three of them; I ſaw them ſtoop down and ſpeak to one another. I put my Hand to my Pocket and found it turn'd out.

Q. You ſay there were two Women, How do you know it was this? it might be the other.

Seamans. It was not the other Woman, ſhe was not ſo near.

Q. How much Money had you in your Pocket?

Seamans. Five Shillings and Sixpence, my Lord, and no more.

Q. Had you no Notion of their picking your Pocket?

Seamans. No, my Lord, 'till I ſaw them looking down to the Ground.

Q. What Miſtruſt could you have by ſeeing them looking down to the Ground?

Seamans. I then clapp'd my Hand to my Pocket.

Q. What Company had you been in before?

Seamans. I was in Company with ſome young Men; my Maſter's Son, and ſeveral of us, were at a Merriment on the Account of a young Man's being out of his Time.

Q. (by the Council for the Priſoner.) You ſay it was Twelve o'Clock at Night; Where had you been?

Seamans. At the *Helmet* in *Biſhopſgate-Street.*

Q. Can you take upon you to ſay that you was entirely ſober?

Seamans. Yes.

Q. (to —— Jeffreys.) What do you know of this Matter?

Jeffreys. When I came out of *White-lion-Court* there was nobody there then: I ſaid to him, when he had charg'd her with picking his Pocket, Are you ſure that ſhe has it; did not you go by the Watch-houſe as ſhe was going to it? She ſaid ſhe had chang'd a Guinea in *Leadenhall-Market.* I never ſaw the Woman in no ill Company in my Life.

Q. (to the Priſoner.) What have you to ſay for yourſelf?

Priſoner. My Lord, I had been to a Houſe to meet my Huſband: When I went there my Huſband was ſent for, and could not come home with

me,

me; becauſe he did not come; I would not ſtay, but came away. The Proſecutor came out of a pav'd Court; I ſaw him with a Woman in a white Gown.

Q. (by the Council to —— Walker.) Mr. *Walker*, Do you know the Priſoner?

Walker. I never ſaw her before the *Saturday* Night ſhe was taken up. I had been to a Friend of Mr. *Dun*'s; and as Mr. *Dun*, and another Man, that went along with us, were coming by *St. Michael's-Alley*, near the *Exchange*, we ſaw a Man with a Woman up in the Gateway; as ſoon as they heard us the Man got his Breeches up as ſoon as he could, and the Woman run away towards the *Exchange*; and there was that young Woman at the Bar, who was about ſeven or eight Yards towards *Cornhill*; this young Man runs to her, and ſays, You are the Perſon that was along with me up in the Alley. She declar'd her Innocency. Then the Proſecutor ſaid, You are a Confederate with her, if you are not.

Q. (to Thomas Dun.) Do you know the Priſoner at the Bar?

Dun. No, Sir; I do not remember her. I remember Mr. *Walker* the Butcher, and I were coming from *Covent-Garden*; Hyp, ſays he, here's ſomebody up the Alley; ſaid I, Never mind that, come along about your Buſineſs. A Man and Woman was there; the Woman run from the Man, towards the *Exchange*, as if the D——l drove her: He was ſhuffling, as we thought, to put up his Breeches. When he run to this Woman he ſaid, They are all Whores alike; I'll keep this Woman 'till I find the other.

Q. (to Walker) Mr. *Walker*, How came you here?

Walker. I came by a *Subpœna*.

Q. Who ſent it to you?

Walker. I don't know.

Q. Where do you live? *(alſo to the other Witneſs)* How came you here, Mr. *Dun?*

Dun. By a *Subpœna*.

Q. Pray did you go before the Juſtice with theſe People?

Dun. No.

Court. Then you went away about your Buſineſs.

Dun. Yes; but the next Day I went to the *Compter*, and I ſaw the Woman crying in the Place; ſhe deſir'd me to leave her my Name and Place.

Q. Did you know her?

Dun. Yes, my Lord; I took particular Notice of her Face?

Q. How long was you by?

Dun. I believe about five or ſix Minutes.

Q. If it was ſo unjuſt a Charge, Why did you not go before the Magiſtrate?

Dun. I had ſomething elſe to do.

Court. That is every one's Buſineſs, *&c.*

Q. What is your Buſineſs, *Walker?*

Walker. The laſt Buſineſs that I kept was a Publick Houſe; but I have been out of Buſineſs for near a Twelvemonth. I now kill for the Butchers.

Q. (to Mary Blair) What do you know of the Priſoner?

Blair. My Lord, ſhe is my Mantua-maker; ſhe brought me home a Gown on *Saturday* Night. She expected her Huſband to come to her. I have known her ever ſince ſhe has been married to Mr. *Fox*. She waited at my Houſe 'till Eleven o'Clock. She has work'd for me near three Years. I believe ſhe would not be guilty of ſuch a Thing.

Q. (to —— Mannaton) What do you know of the Priſoner?

Mannaton. I believe her to be a very honeſt Woman: I have ſeen her very induſtrious; and ſhe keeps her Houſe and every Thing very clean.

Q. (to —— Hughes) How long have you known Mrs. *Fox?*

Hughes. She has work'd for my Wife for about two Years and a Half: I believe her to be a very honeſt Woman.

Q. Do you know her Huſband?

Hughes. I was an Officer as well as he.

Q. (to Katherine Holland) Do you know Mrs. *Fox*, the Priſoner at the Bar? What are you?

Holland. I keep a Chandler's Shop in *Katherine-Wheel-Alley*, where Mrs. *Fox* lives; I have known Mrs. *Fox* four or five Years, and ſhe has made Mantuas for me about three Years, and never heard but ſhe was a civil Neighbour, and a good Woman.

Q. (to John Kitchen.) Do you know Mrs. *Fox?*

Kitchen. Yes, very well.

Q. Pray what's her general Character?

Kitchen. Her Huſband's an Officer belonging to *Whitechapel* Court. She always had a very fair Character, as far as I have heard.

Q. (to Anne Burton) Where do you live?

Burton. In *Red Lion Street, Whitechapel*; my Huſband is a Bricklayer.

Q. Do you know Mrs. *Fox*, the Priſoner, at the Bar, what's her general Character?

Burton. A very good Character. She is a Mantua-maker, has made for me, and ſeveral of my Acquaintance. I never heard any Thing ill of her in my Life. Acquitted.

216. **Samuel Prigg**, late of the Parish of *Christ-Church*, was indicted for that he, not having the Fear of God before his Eyes, and being mov'd by the Instigation of the Devil, on the 6th of *May*, with Force of Arms, on *Thomas Girl*, feloniously, with Malice Aforethought, did make an Assault, with an Iron Penknife, upon the Right-side of the Belly of the said *Thomas Girl*, and give him one mortal Wound, the Breadth of six Inches, whereof he died.

Q. (*to Paul Burroughs*) Do you know the Prisoner at the Bar, *Samuel Prigg?*

Burroughs. Yes.

Q. What have you to say about the Death of *Thomas Girl?*

Burroughs. My Lord, I saw him stab him; my Lord, I will tell you what I saw pass. I saw the Prisoner at the Bar and *Thomas Girl* disputing together. My Lord, I was Tapster at the *Ship and Anchor* in *Wheeler-Street*, *Spittlefields*.

Court. Now tell us what past.

Burroughs. They had been disputing, my Lord, together.

Q. Who was there besides them?

Burroughs. All these Witnesses. They charg'd one another with Sodomitical Practices. The Deceas'd desir'd him (the Prisoner) to quit his Company; he said he would not: With that he did but come into his Company again, and in about ten Minutes Time he stabb'd him.

Q. Then you was backward and forwards, and not in the Company. Upon what Occasion were they met together, or was it any publick Time?

Burroughs. It was what they call a Chair-Night. The young Men in the Neighbourhood come frequently to that House. These two quarrell'd and wrangled with one another for the Space of Three-quarters of an Hour.

Court. They charg'd one another with Misbehaviour; What past about that Time?

Burroughs. I was leaning over the Suttle while they were wrangling.

Q. What did the rest of the Company do, did any body interpose, or say any thing to them?

Burroughs. The Prisoner at the Bar, he had a Penknife in his Hand, that no body could discern: I did not see him give the first Stab. He gave him a rip up, and he fell back, and said, Oh! Oh! Then the Prisoner at the Bar, after he had ripp'd him up, gave him three or four Punches in the Breast with his Double-Fist.

Q. You said just now that the Prisoner had gone out of the Company; How long was it after he return'd that this Misfortune happen'd?

Burroughs. I believe about six or seven Minutes.

Q. Was you there when he came into the room again?

Burroughs. All the Time, my Lord.

Court. When the Deceas'd got up to go out of his Company the Prisoner then stopp'd him.

Burroughs. Yes.

Q. Was the Deceas'd upon his Legs?

Burroughs. He mov'd, and came towards the End of the Table; then the Prisoner ripp'd him up.

Q. What did the Deceas'd say?

Burroughs. He said he must quit his Company, or he should get out of his.

Q. Now when the Deceas'd said that, and was moving along, what did he say?

Burroughs. I did not hear him say one Word.

Court. You describ'd the young Man as leaning back, and crying, Oh! Oh!

Burroughs. I did not think he was stabb'd: They came out when he was hitting of him, and had, as it were, all the Room to themselves.

Q. Now before the Prisoner went out the first Time, what past about the Prisoner's leaving the Company.

Burroughs. The Prisoner was persuaded to leave the Deceas'd's Company; then afterwards he came again.

Q. When the Deceas'd fell down, was it any Distance?

Burroughs. The Prisoner follow'd him two or three Steps, and stabb'd him in the Breast.

Q. What did you do then?

Burroughs. Immediately seiz'd him, as soon as he had struck him. I twisted his Arms when I laid hold of him; and he said, Let me go, or I will stab some of you.

Q. When the Deceas'd came to go out at the End of the Table, as you have been describing, Did he strike the Prisoner, or was he in a Temper of Striking?

Burroughs. My Lord, he spoke with all the Mildness in the World; said, he would not stay in his Company if he continued wrangling.

Q. Did he strike the Prisoner?

Burroughs. No, my Lord.

Q. Did he justle or push him, or any thing to provoke him? Then he was not come up to him to strike; which would be very material. Did the Prisoner do any thing to hinder the Deceas'd's geting out.

Burroughs. I never saw any thing but the Stabs upon the Breast.

Q. Do you know any thing else relating to Circumstances? Had you any Discourse with the Deceas'd after he was wounded.

Burroughs. When they had ſecur'd the Priſoner I ran out to ſee for a Surgeon; when I came back there was two there before me.

Q. (to the Priſoner) Would you aſk any Queſtions of this Witneſs?

Priſoner. No, my Lord; but he has ſaid Things that are not true.

Q. What has he ſaid that is not true.

Priſoner. I can't remember what he has ſaid.

Q. (to Burroughs) Did you know both theſe?

Burroughs. I never ſaw the young Man that is dead, nor the Priſoner, before.

Court. You ſay he ſtruck him four or five Times; Did you ſee the Wound? Did he ſtrip off his Cloaths? Did you ſee the Wound?

Burroughs. My Lord, I ſaw his Bowels; I ſaw the Shirt that was bloody; he pull'd it up, and his Bowels came all out.

Q. When you took this Penknife out of his Pocket, did it appear to be bloody?

Burroughs. My Lord, I did not take it out of his Pocket.

Q. (to William Merrit) Was you in this Company?

Merrit. I was in the Company from the Time it began, to the Time of the unhappy Accident.

Q. Was you acquainted with this young Man? You was all of a Club, was you?

Court. Tell us what paſt previous to this Misfortune.

Merrit. The young Men, the Society, newly came from another Houſe; they are Neighbours, and ſuch-like, together; and the Landlord offer'd to give us an Entertainment. We came to Supper after we had left Work. A little while after we had been there, the Priſoner at the Bar came along with another Man up Stairs; they were aſk'd to ſit down before Supper, which accordingly they did. By and by the Deceas'd came into the Houſe, and enquir'd for Mr. *Church*; but a young Man ſaid he would bear him Company 'till he came, he believ'd it would not be long. After Supper was over the Priſoner went down to the Deceas'd, and came up again; and ſome Time after the Deceas'd ſent up, If any of them had any thing to ſay to him, they might come down.

Court. Then the Deceas'd was not in the Room?

Merrit. No; the Deceas'd had ſome Steaks dreſs'd for himſelf in another Room. When the Priſoner went down moſt of us went down with him.

Q. How came you to have any Curioſity to hear?

Merrit. Becauſe they were accuſing one another with Sodomitical Practices. The Priſoner told the Company the Deceas'd was one concern'd in Sodomitical Practices. All of us came down, and ſtood round the Table. Several Words and Squabbles paſt between them. The Deceas'd ſaid, Bear Witneſs what the Man ſays to me. Pleaſe you, my Lord, after ſeveral Words had paſt we went up again; I can't ſay there was any thing more 'till the unhappy Accident. When we had paid the Reckoning the Priſoner ſaid, Are your Company gone? the Landlord ſaid, ſome are below and ſome above. Then ſaid the Priſoner, I'll go and have a Look at them. Now his Friend, one *Shaw*, deſir'd that he would not go; but he inſiſted upon going in to look at the Deceas'd. Some of the Company deſir'd him not to ſet before the Gentleman, becauſe it would be an Affront to him; ſo he ſat down at the End of the Table; and a great many Things paſt upon the Subject. At laſt he turn'd about and ſaid, he would withdraw out of his Company, or elſe the Priſoner ſhould go away.

Court. Then you had paid your Reckoning above Stairs?

Merrit. Yes.

Q. After the firſt Wrangling who did you leave in the Room with the Deceas'd.

Merrit. There were, I believe, two or three; the Priſoner ſaid he would go and have one Look more at him; and his Friend told him he was afraid Miſchief would come of it: He ſaid theſe Words, or to that Effect.

Q. You all went into the Room; pray tell what paſs'd then?

Merrit. He ſat down at the End of the Table; ſome of the Company deſir'd him to get off, telling him he ſhould not ſit before the Gentleman, meaning the Deceas'd; but he continued ſitting at one End of the Table and the Deceas'd at the other, when the latter deſir'd him to withdraw.

Q. Did the Priſoner urge the Quarrel again?

Merrit. Sometimes Words ran high, and ſometimes abated; then the Deceas'd deſir'd him to withdraw, or he would go into a private Room and talk with any of us; but as for that Man, meaning the Priſoner, he would have nothing to ſay to him; ſo ſome of the Company made an Opening for him, and as he was coming out the Priſoner met him; he lifted up one Hand and with the other made ſeveral Motions at his Belly; I did not ſee the Gentleman make any Return, but cry'd out, Oh! Oh! then he ſaid I am ripp'd; I did not hear him ſay he was ripp'd up, but I am ripp'd; with

with that he fell backward, and the Priſoner ſtepp'd forward and gave him ſome more Puſhes; I ſaw his Bowels come out, and there were two or three Wounds upon his Breaſt.

Q. Did you take the Knife from him?

Merrit. No, my Lord; but the Gentlemen who were by took the Knife out of his Pocket: When the Deceas'd open'd his Cloaths a conſiderable Quantity of his Blood and Bowels flew about.

Q. I would aſk you the ſame Queſtion as I did the other Witneſs: Did the Deceas'd, when he was going out, or towards the Priſoner, come in a Way of fighting, threatning or ſtriking, or did he make any Motion at the Priſoner? You uſed an Expreſſion juſt now, I would have you explain it; you ſaid the Priſoner met him, as he roſe up he turn'd the Corner of the Table.

Merrit. Yes.

Court. Then if he turn'd the Corner of the Table that Way, he was in the Way of the Priſoner's coming out. How far might it be that this poor Man, who is dead, fell back, when the other ſtabb'd him again?

Merrit. His Body fell back, I believe, near four Feet.

Court. You ſaid there were two Men that ſat at the other End of the Table.

Merrit. Yes they did, my Lord.

Q. Have you any thing more to ſay?

Merrit. No, my Lord?

Q. (*to John Church.*) Was you in this Company?

Church. Yes, pleaſe you my Lord, I ſupp'd there.

Q. Was you of the Company above Stairs.

Church. Yes, my Lord.

Court. Pray give us an Account of this unhappy Affair. Was you by when this Man was wounded?

Church. When he Deceas'd came in firſt he ſent for me to drink with him; pleaſe you, my Lord, the Priſoner at the Bar came down after I had been there a little while, and ſaid, How do you do, Mr. *Girl?* The Deceas'd ſaid, let me alone, let me eat my Supper in quiet.

Court. Then the Priſoner came down almoſt as ſoon as you.

Church. Yes, my Lord.

Q. When he aſk'd this *Girl* how he did, what was the Manner of it?

Church. I could not know the Heart, but I thought it was in a ſcornful Sort of a Manner. Pleaſe you, my Lord, the ſecond Time he came down he began to aſperſe him very much; they accuſed one another, and neither of them made any Defence. The Deceas'd deſir'd me to go up Stairs and enquire whether any of the Gentlemen had any thing to ſay to him, if they had he would anſwer them; with that the Priſoner came down, and another or two with him, when a pretty deal paſs'd between both: The third Time when he came down he ſat himſelf upon the Table; after ſome Words the Deceas'd got up to go out of the Room, whereupon the Priſoner ſaid he would make way for him to go by; but as he was coming out of the Box the Priſoner met him and gave him the Rip: He cry'd out Oh! Oh! Oh! and the Priſoner gave him two or three more Stabs.

Q. Was the Deceas'd in a Poſture of attacking or ſtriking the Priſoner at that Time, or was he going out in a quiet Manner?

Church. Pleaſe you, my Lord, I ſaw no Offer of any Blows at all; I did not ſee him lift his Hand up.

Q. Did you ſee the Wound?

Church. I ſaw it; but it was in ſuch a Condition I could not bear the Sight; I believe the Cut was ſix Inches long, and the Bowels that came out were as many as I could put into my Hat.

Q. How long did he live?

Church. I believe my Lord he liv'd about five or ſix and twenty Hours. I cannot tell.

Q. Who was the Perſon that took the Knife away?

Church. One *Abraham Mood*, my Lord.

Q. The Priſoner ſays you was ſent for him. In what Manner was you ſent to call the Priſoner down?

Church. The Deceas'd deſir'd me to go up and to ſay, that if any Man had any Thing to ſay againſt him, he deſir'd to hear it.

Court. But if I underſtand you, the coming down of the Priſoner and the reſt, was not the Time when the Miſchief happen'd, for they all went away.

Church. Yes.

Court. Now tell me how they came into the Room the third Time.

Church. Pleaſe you my Lord, I cannot tell what Reaſon the Priſoner had to come into the room the third Time.

Q. (*to* ——— *Mode.* Tell us what you know of this Matter.

Mode. We had Supper brought about Eight o'Clock, at the Ship and Anchor. The Priſoner at the Bar came up, and Mr. *Shaw* along with him: When Supper was brought to Table, I was in Company

pany with the Deceas'd; he had not eat any Thing all Day, and he had ſome Mutton Chops, and he had them broil'd.

Q. Was you there when the Priſoner was in Company?

Mode. Yes. The Gentleman had his Supper, and the Priſoner came in and ſaid, how do you do Mr. *Girl, alias Jones*; the Deceas'd ſaid I have nothing to ſay to you, let me eat my Supper in Quiet; with that the Priſoner went up Stairs. Afterwards the Deceas'd ſent up to know if any Body had any Thing to ſay to him, if they had they might come down; then the Priſoner went down and two or three more with him; with that they were ſending and proving for ſome Time: When we had paid our Reckoning, I ſaw the Priſoner at the Bar come and ſit down at the End of the Table, and they brought a Stool for him; and the Deceas'd ſaid, Gentlemen, I ſhould be glad of all your Companies, except that Man. With that he was a coming out, the Priſoner met him and ripp'd up his Belley, and he fell backward a little, and cry'd Oh! Oh! Oh! With that the Priſoner follow'd him and gave him three or four Stabbs. I took the Knife out of his Pocket, bloody. Some run for the Surgeon, and others to the Watch-Houſe for the Officers.

Q. What Wounds did you ſee?

Mode. I ſaw the Wound in his Belly, ſix Inches and a half long, and three Wounds in his Breaſt.

Court. And it let his Bowels out.

Mode. Yes, It let his Bowels out.

Q. (*to William Buttle*) What do you know of this Matter?

Buttle. My Lord, we had a Supper at this Houſe; I was there along with the reſt of the Company; the Priſoner at the Bar and Mr. *Shaw* came in, and were aſk'd to ſit down at Supper; they fell into Diſcourſe about what the Deceas'd ſaid: A Perſon came up to aſk for one Mr. *Church*; the Anſwer was, that he was not there; but I was told ſomebody was gone for him, and he came up, and the Company deſir'd if the Priſoner at the Bar could clear himſelf he would go down, for they were uneaſy at having ſuch a Companion; ſome of us went down with him, when they accuſed one another Face to Face; tho' neither of them ſaid they were not guilty, but only caſt Reflections upon one another.

Q. Where was you when the Priſoner and the Deceaſed were together the third Time?

Buttle. Pleaſe you my Lord, I did not go into the Room with the Priſoner at the Bar tht laſt Time; as we heard Words riſe very high, we aroſe from the Table and went into the Room; when I came into the Room I found the Priſoner ſitting upon the Table; in two or three Minutes I ſaw him ſitting upon the Stool or Chair; after that I ſaw the Deceaſed riſe up, and he told the Company they ſhould let him go by, he would not ſtay with the Priſoner: The Priſoner at the Bar turn'd at the Corner of the Table; I ſaw him puſh againſt the Deceaſed's Belly, and the Deceaſed fell back in a ſort of a Laughter, ah, ah, ah. I thought it was ſome Action of their old Way of Diſcourſe; preſently the Deceaſed cry'd my Bowels are out.

Q. Did you ſee any Knife in the Priſoner's Hand?

Buttle. No.

Q. Did you ſee the Wounds afterwards?

Buttle. Yes, pleaſe you my Lord.

Q. (*to John Duncan*) What do you ſay to this Matter?

Duncan. I was in Company, my Lord, at the ſame Time when Mr. *Shaw* and Mr. *Prigg* came. The Deceas'd had accus'd the Priſoner at the Bar: Mr. *Shaw* ſaid that *Girl* did not dare to face them. *Girl* came afterwards into the Houſe, and ſat down in a back Room below Stairs. When we heard that *Girl* was come, ſome of the Company ſaid to *Prigg*, that he had as good go down and clear himſelf; ſo he went down and ſeveral others; ſo *Prigg* ſaid to *Girl*, your humble Servant Mr. *Girl*, and he look'd at the Priſoner at the Bar, and ſaid, who does he ſpeak to. The Deceaſed farther ſaid, mind, Gentlemen, what he ſays of me; with that we all went up Stairs again, and when the Deceaſed had ſupp'd, he ſent up one *Church* to tell us, that if any of the Company had any Thing to ſay to him he would anſwer them; *Prigg* immediately ſaid, he ſhould be glad if ſome of us would go down with him, to hear what he had to ſay; accordingly we did ſo, and many Words paſſed between them; then we went up again to pay our Reckoning; and coming down Stairs Mr. *Shaw* and the Priſoner went into the other Room to the Deceaſed; I went in alſo, and lean'd over the Box to hear their Diſcourſe: The Priſoner at the Bar ſat on the End of the Table, and one of the Company ſaid, get Mr. *Prigg* off the Table, for it will affront the Gentlemen to ſit before them; whereupon a Stool was brought him, and he leaned with his Right Hand on the Table, and they talk'd a pretty deal. The Deceaſed ſaid, Gentlemen, bear Witneſs, I have nothing to do with this Man; and deſir'd he would get out of his Company: The Priſoner ſaid, he would ſit there, as it was a publick Houſe. The Deceaſed

ſaid

ſaid he was glad to ſee his Friends about him, but he did not like that Man. The Priſoner ſaid, if you do not like my Company make a chalk, or lay your Cane acroſs the Table; but that did not ſatisfy the Deceaſed, he got up and would go into another Room to ſee if the Priſoner would follow him. *John Tillen* ſat next the Deceaſed, one *Thomas Parks* ſat at the outſide, and *Prigg* ſat with his Hand in his Pocket; as the Deceaſed was coming out, *Prigg* jump'd up and gave him a Puſh and he fell backwards, crying Oh! Oh! Oh! He gave him a Wound ſix Inches. I went to him, he pull'd up his Shirt, and my Hat would not hold the Quantity of Bowels that came out of the Wound; with that ſome went for the Watch, and others for the Surgeon.

John Nicolas Jecquin. I was call'd about Two o'Clock on *Tueſday* Morning to come to one that was wounded at the Ship and Anchor; when I came *Thomas Girl* lay on the Bench with one of his Legs on the Table, when I look'd on him and found two Wounds on his Right Breaſt, neither of which had penetrated into the Cavity; and, finding his Bowels very cold, I got ſome warm Water and Brandy, for laying ſo long they were grown ſtiff and hard; I reduced them into their Place and ſew'd up the Wound.

Q. You did not ſee the Inteſtines wounded?

Jecquin. No, the Man was very well at Ten o'Clock; that is, ſound in his Judgment, he was not delirious, but in an Inflammation, a Fever, [the Surgeon was a Foreigner, ſo did not ſpeak quite intelligible in every Thing,]

Q. Do you apprehend this to be the Cauſe of his Death?

Jecquin. Only I would obſerve the Man was a long While before he had been dreſſed.

Q. (*to the Priſoner.*) Now is your Time to make your Defence. What have you to ſay for yourſelf?

Priſoner. I have nothing to ſay, I commit my Cauſe to God.

George Williams. About a Fortnight before this Fact was committed, the Priſoner came to my Houſe and aſk'd for Mr. *Girl*, we told him he was not at home; he aſked where he was, he ſaid he would ſearch *Ormond-Street* for him, and wherever he met him he would rip him up and let his fat Guts out.

Q. What Condition was he in?

Williams. He ſeem'd very ſober.

Council. I think this was an Inſtance of his Madneſs, to make ſuch a Declaration.

Q. (*to Thomas Coates*) What are you Mr. *Coates?*

Coates. A Plaiſterer, my Lord.

Q. Where do you live?

Coates. In *Little-Kirby-Street*, by *Hatton-Garden.* My Lord the Priſoner ſerv'd his Time with me, and work'd with me afterwards for a Twelvemonth; but the Year before he was out of his Time I was oblig'd to carry him to the *Cold-Bath*, for an Illneſs in his Head, and they told me if I did not dip his Head all over he would run mad.

Q. How long was that ago?

Coates. I believe about three Years and Half ago.

Q. When did he work?

Coates. I believe he has not been able to work for ſome Time: I have ſeen him lately, and ſometimes he has talk'd wildly, and I have taken him to Taſk as he has been rambling backwards and forwards; he always ſeem'd a good ſort of a Man, and a ſenſible Man before this Illneſs ſeized his Head: I ſaw him about three Weeks ago, he ſaid he believ'd he ſhould drown himſelf. I gave him ſome good Advice, and, then indeed, he ſeem'd to anſwer me very well in that Reſpect.

Q. (*to Elias Hare*) How long have you known the Priſoner?

Hare. I have known him between ſix and ſeven Years.

Q. What are you?

Hare. I am a Weaver, by Trade.

Q. Where do you live?

Hare. Next Door to the Priſoner, in *Bell-Lane, Spital-Fields.*

Q. Have you been frequently in his Company within this Half Year?

Hare. I was with him the laſt Sabbath-Day at Night before this Affair happen'd, he drank to me, and ſaid your Health; ſaid he I believe I ſhall never drink with you again as long as you live; I ſaid, *Sam*, you are beſide yourſelf: And he talk'd very out of the Way Things of making away with himſelf, *&c.*

Q. Now I would aſk you, whether in that Converſation you had with him he did not underſtand the common Affairs of Life? How long were you together that Night?

Hare. From Six o'Clock to Ten.

Q. Did you talk of News, *&c.*

Hare. None at all: We went to *Hackney* after the Evening Service, and he ſeem'd to be very melancholy.

Q. Pray tell me whether he did not talk of the Weather, the Fields, and the Pleaſures of the Country?

Hare. He talk'd very rambling; I took him not to be as he ſhould be.

Q. Who was it going to *Hackney*, you or him?

Hare. My Lord, his Wife was with him.

Q. Were you going to any Friend of theirs?

Hare. We took a Walk after Sermon for Recreation.

Q. Had you ever heard before of any thing that had happen'd to this Man?

Hare. I know he has not follow'd his Buſineſs as he ſhould have done this Year or two; ſometimes he would keep his Bed for two or three Days in a melancholy Way, and aſſign no Reaſon for ſo doing.

Q. What do you mean that he did not keep the Buſineſs of a Pawnbroker as he ſhould have done?

Hare. Sometimes he would take it in his Head to lie in Bed for half a Day together, then he would come down and go up again.

Q. Who keeps the Books?

Hare. His Wife and his Maid.

Q. Have you not ſeen him about in his Buſineſs, though not ſo diligent as he ſhould be?

Hare. No, my Lord, I have not ſeen him of late about his Buſineſs.

Q. Do you remember that he complain'd of being over-rated, and went to complain about it?

Hare. Yes; but I believe it is near a Twelve-Month ago.

Q. (*to Mary Ray.*) How long have you known the Priſoner?

Ray. Sir, I have liv'd above twelve Months in the Family.

Court. Pray now give an Account of him; how has he been ſince you came into the Family?

Ray. Sir, at ſome Times I have obſerv'd him to be very melancholy; and one Time he drew a Knife out of his Pocket to ſtab himſelf while he was at Dinner.

Q. Had he the Knife at his Breaſt?

Ray. Yes. His Wife ſaid, what are you mad? with that ſhe took the Knife from him. When he took the Penknife out of his Pocket he ſaid he would run it through him.

Q. What did you apprehend to be the Matter?

Ray. I look'd upon him to be in a melancholy Way.

Q. Did you look upon him to be at that Time in his Senſes, to underſtand what he was about, or this to be owing to a ſudden Start of Paſſion?

Ray. I took him to be in a melancholy Way; but no body ſaid any thing to him then; there was only my Miſtreſs and I and my Maſter at Dinner; at the ſame Time no body had ſaid any thing to him, for he had not been out of the Houſe all Day.

Q. I would aſk you, young Woman, what Trade or Buſineſs your Maſter carry'd on?

Ray. My Maſter is a Plaiſterer and Pawnbroker; but my Miſtreſs and I carry on the Buſineſs.

Q. Who keeps the Books?

Ray. My Miſtreſs, not my Maſter.

Q. Who keeps the Accounts of the Family, and receiv'd and paid Money?

Ray. Some times I took out Money.

Q. In general who paid the Butcher, Baker, and the People that you dealt with?

Ray. I ſometimes paid them and ſometimes my Miſtreſs; What my Maſter might pay out of Doors I can't ſay, but he ſeldom paid within.

Q. But I aſk you, whether you ever took him, at ordinary Times, to be one that did not underſtand what he was doing?

Ray. Yes, when he has come down Stairs and wanted to go out in the Night time.

Q. When was that?

Ray. About three Months ago; and I have very often ſeen him ſit and cry to himſelf.

Q. What Servants had he in his Way of Buſineſs as a Plaiſterer?

Ray. Sir, I never ſaw any that he had.

Q. Then I aſk you, upon your Oath, whether he was not at work as a Plaiſterer within three Days before this Misfortune happen'd?

Ray. Yes, I believe he did go out the ſame Day.

Q. Did he come home from Work at Night?

Ray. Yes, Sir, I believe he did.

Q. Did he not dreſs himſelf to go abroad, after he came from work in the Evening?

Ray. Yes.

Q. Did you not hear your Maſter and Miſtreſs both complain that they were too high rated in the Pariſh?

Ray. No, my Lord?

Q. Do you know any thing of his appealing to the Pariſh on account of being high rated.

Ray. I know a Gentleman came to our Houſe.

Q. When was it?

Ray. I can't ſay the Day; I believe it was about *Chriſtmas.*

Q. Has he any Family?

Ray. No, my Lord, none but a Wife.

Q. (*to Abraham Shaw.*) How long have you known the Priſoner?

Shaw.

Shaw. Six or ſeven Years.

Q. Have you been well acquainted with him latterly? Do you live near him?

Shaw. I don't now; but I have liv'd in the Houſe with him.

Q. How long ſince?

Shaw. It is about three Years ago.

Q. During the Time you liv'd with him was he then different in his Behaviour from other Men? Have you ſince diſcover'd any Thing?

Shaw. About three or four Months ago he came to my Houſe, between Seven and Eight o'Clock; he came up very quick: I aſk'd him why he came ſo very ſoon? he did not ſpeak. I ſaid there is ſomething the matter that you get up ſo very ſoon; with that he look'd at the Glaſs, and fell a crying. He ran down, and I follow'd as far as *Hackney*; when I overtook him he fell a crying ſadly. I inſiſted to know what was the matter.

Q. Did you apprehend he was in his Senſes?

Shaw. My Lord, he has been diſorder'd in his Senſes near a Twelvemonth: I know he has been ſeveral Times going to make a-hand of himſelf, to drown himſelf, *&c.*

Q. How can you tell he was going to drown himſelf when you follow'd him to *Hackney?*

Shaw. He was running near *Hackney-Marſh*, and I know that he was about to make a-hand of himſelf. At ſome Times he would talk of ſtrange Things, that we could not underſtand.

Q. I Would aſk you, Have you look'd upon him, theſe two or three Months laſt, to be in his Senſes, or out of his Senſes?

Shaw. Out of his Senſes.

Q. How often may you have been in his Company within this Month?

Shaw. Seven or eight Times.

Q. Did he behave like a Madman?

Shaw. He us'd to have very flighty Airs.

Q. Had he any Money in his Pocket when you went to the Alehouſe?

Shaw. Yes.

Q. Did he ever miſtake in his Reckoning?

Shaw. I believe not.

Q. Let me aſk you another Thing; I believe you was in Company that Night.

Shaw. Yes, I was, my Lord.

Q. How came you there?

Shaw. We were both invited to Supper at that Houſe.

Q. Where do you live?

Shaw. I live in the Hamlet of *Bethnal-Green.*

Q. Where does he live?

Shaw. He lives in *Spitalfields.*

Q. I would aſk you, whether, when you call'd him, you did not ſee him dreſs'd?

Shaw. When I ſpoke to him, he ſaid he was going to that Houſe, and I told him I was going there too.

Court. Then he knew that very well.

Q. When you came into the Houſe, did you go into the Company.

Shaw. Yes, my Lord, we ſupp'd there, and there was a Noiſe; they ſaid there was a Man come into the Houſe that had ſomething to ſay to the Priſoner at the Bar; when he came he ſpoke ſomething to him. As to Particulars, there was ſuch a Noiſe, that I cannot relate.

Q. Let me aſk you whether the Priſoner did not maintain his Diſpute with as much Underſtanding as any of the Company?

Shaw. I can't give any Particulars of that.

Q. Did you not hear him and the young Man that is dead reproach one another? Now the other Witneſſes, ſeveral of them, have ſaid that the reſt of the Company were liſtening, and attentive to hear what they charg'd one another with. Can the Priſoner write?

Shaw. I believe he can.

Q. Does he write any Letters?

Shaw. Yes; I know he has wrote one Letter, the Letter he ſent to the deceas'd Gentleman.

Q. Did you read that Letter?

Shaw. No, my Lord.

Q. Who carried that Letter?

Shaw. I carried it to a Tavern.

Q. (to Mary Fox) Do you know the Priſoner at the Bar? What have you to ſay? How long have you known him?

Fox. I have known him from a Child; and for theſe latter ſix Years I have been very intimate with him.

Q. I would aſk you how he has been for theſe three or four Months paſt?

Fox. He has had his Intervals at Times; I have ſeen him very well at other Times. When his Diſorder comes upon him he ſtares about; by the Help of a Gentleman that has come into my Apartment, we have confin'd him for ſix or ſeven Hours together.

Q. Did you take any Obſervation of him within this Fortnight.

Fox. No.

Q. Have you ſeen him within this Month?

Fox. Yes; he came to me exceedingly confus'd: I ſaid, What is the Matter, Mr. *Prigg?* he ſaid, Don't aſk me, Good by to you, good by to you.

Q. What

Q. What do you look upon to be the Matter with him?

Fox. I have ſeen him all of a ſudden break a fine Piece of China; then he has gone up Stairs and thrown himſelf upon the Bed.

Q. (*to Anne Good*) Do you know the Priſoner?

Good. I have been acquainted with him many Years; I have been acquainted with him latterly more than formerly; I have ſeen him within a Month at leaſt.

Q. Did you obſerve any thing in him different to his former Behaviour?

Good. I look'd upon him to be very wild with his Eyes, and very melancholy, and like a Perſon out of his Senſes. About half a Year ago he came to me in a very melancholy Way: I endeavouring to know what was the Matter; at laſt he turn'd himſelf about, Good by, you will never ſee me any more alive; I'll drown myſelf. With that I caught hold of him, and cry'd for Mrs. *Fox* to help me to keep him from making away with himſelf.

Q. Do you know any thing later?

Good. Laſt *Saturday* ſe'nnight he came and look'd very wild with his Eyes; he threw himſelf about, but did not ſit down; he look'd very ſtrange; he ſaid he was not very well. I aſk'd him if his Wife and himſelf would come and drink a Diſh of Tea with me on the Sabbath-Day; with that he look'd in the Glaſs, and turn'd himſelf round, and went out as faſt as he could.

Q. (*to —— Humerſton*) What do you know of the Priſoner?

Humerſton. I have been acquainted with him for ſome Years; but I have not ſeen much of him within theſe two or three Months.

Q. Have you any Reaſon to think he was different to was he was formerly.

Humerſton. He was ſomething phrenzical; he ſaid he was weary of Life.

Court to Charles. Do you know the Priſoner? Have you been lately acquainted with him within this Month or two? Do you look upon him to be a Man in his Senſes, or out of his Senſes?

Charles. I have ſhav'd him for this two or three Years; he always behav'd very well, and paid me for what I had done for him.

We think it may be acceptable to give ſome Hints of his Lordſhip's Charge to the Jury, upon this melancholly Caſe.

——What Condition of Mind, or Underſtanding the Priſoner appear'd to be at the Time this Fact was done; they all of them ſay that his whole Behaviour was ſenſible in what he went to do; that he reproach'd the Deceaſed the ſame, as the Deceaſed did him; and all his Actions appear'd to them as cool and as ſenſible, as any other Perſon in the Company. The Witneſſes were call'd out, and all gave the ſame Account; they always look'd upon him to be a Man of Underſtanding. Gentlemen, this is the Evidence to maintain the Indictment. The whole Defence made againſt it is, that he is a Man that has lately loſt his Underſtanding, has been beſide himſelf, and 'tis open'd by him, or his Council, that this is to be look'd upon as an Act of an Irational Man, who did not know what he ſaid, or did, and is not to be anſwerable for any Conſequences. I muſt tell you, that in Point of Law, a Man void of all Senſe and Underſtanding, ſo degraded to the Condition of a Brute, is no more anſwerable for ſuch a Fact, than the Inſtrument by which he does it; but then it muſt be one void of Reaſon and Underſtanding, and one known to be ſo. But if a mad Man happens to be ſo at particular Times, and has lucid Intervals, as we know ſuch Perſons have, if at that Time they commit any of theſe Facts, they are as much anſwerable for it, as Perſons that were never in that unhappy Condition: Whether that is the Condition of the Priſoner at the Bar, you muſt determine upon Evidence on both Sides, in order to prove that he is not to anſwer for any Thing he does. *Thomas Coates* ſays, about three Years ago, he fell into a melancholly Way, that he was adviſed to dip his Head in cold Water, and that he was under a religious Melancholly, expreſſed himſelf frighten'd at what would become of him in a future State. Theſe are Circumſtances his Maſter mention'd; he ſeems to give a candid and ſure Account.——Now, Gentlemen, in all Accuſations of Murder, 'tis neceſſary there muſt be not only unlawful killing, but by Malice; that Malice may be implied and collected from Circumſtances. 'Tis not enough for a Man to ſay, that he did not intend it, becauſe that would be in the Mouth of the Guilty, as well as the Innocent. In the preſent Caſe, the Manner of doing of it, if nothing more, implies Malice. It was ſecretly cover'd, and moſt effectually done in the Manner that all the Witneſſes have deſcrib'd: Done in a Manner, that no Man could poſſibly make a Defence againſt; that is all the Evidance of the deepeſt Malice.——If on the other Hand there is an Evidence given to you, which induces you to think he was a Man depriv'd of Reaſon and Underſtanding, that is an Excuſe allow'd by the Law; becauſe unleſs a Man has Underſtanding, he cannot be guilty of any Crime; for

Crimes

Crimes are Acts of the Mind. A Man depriv'd of his Underſtanding, has no Mind to govern him at all. **Death.**

217, 218. **William May*** and **Ruth Walker** were indicted (the firſt for ſtealing, and the other for receiving) 100 lb. Weight of Tobacco, Value 50 s. the Goods of Perſons unknown.

The firſt Witneſs againſt the Priſoner is *William Skarf*, who ſays, that the 4th of *April* at Night, he was ſet to watch the Lighter of Tobacco, as the King's Watchman. *William May* he was ſet as a Watchman in Behalf of the Merchant, in the ſame Lighter. He ſaid they had a Drink at the Seven Stars in *Water Lane*, and he went back again to the Lighter at Seven o'Clock; that he found *May* there with a Candle and Lanthorn, and a Hammer in his Hand: He ſays the Priſoner *May* deſir'd to let him go on with the Work; accordingly he conſented to it very readily, for they were to ſhare it together. He ſays he did open one Hogſhead which lay at the Side of the Lighter; that he took ſome Tobacco out, what particular Quantity he cannot ſay. There were two Hogſheads open'd in the whole, and out of both there were 112 lb. taken. After this, that he and the Priſoner *May* both aſſiſted in carrying of it away, and he ſays the Place they carried it to was the Houſe of one *Ruth Walker*, who keeps a Cook's Shop in *Harp Lane*. He ſays the Parcel was carried at three different Times; that they receiv'd 18 s. at one Time, and 18 s. at another. The Witneſs was aſked whether ſhe had any Notice that this Tobacco was ſtolen; he thinks ſhe knew that very well, that ſhe had often lent Hammers to break them open, and ſays that he himſelf made the Diſcovery of it, voluntarily, before Juſtice *Jones*. This Witneſs was aſked by the Priſoner *May*, whether he was upon Duty that Night; the Anſwer he gave, that he was upon Duty. The other Queſtion was, whether he had a Candle and Lanthorn; the Anſwer the Evidence gave, that he had heard *May* declare, that he had no Candle and Lanthorn, or rather that he was not there that Night.

The next Witneſs *William Clack*, who is a Conſtable, belongs to the *Cuſtom-houſe*, and he was order'd to take up the Priſoner *Ruth Walker*.

Sharf (the former Witneſs) declar'd he made this Confeſſion, voluntarily, before he was taken up.

The Priſoners were call'd upon to make their Defence. *May* ſaid he deſir'd a Perſon he ſaw in Court, might be call'd, one *John Webb*, to prove that there was no plundering in the Lighter; he was aſked whether he was Land-Waiter to the Ship *Neptune*, and any plundering in the Lighter. *Webb*'s Anſwer, that there was, and he thinks there generally is.

Two or three Witneſſes appear'd for the Character of *Ruth Walker*, and gave her a pretty good one; but *Clack*, the Conſtable, was call'd upon for her Character, and he ſays ſhe is a Dealer in Tobacco, or any Thing; ſaid he, ſhe is ſenſible, I know it, I have made Seizures as a Cuſtom-houſe Officer myſelf. Acquitted.

William May was a ſecond Time indicted for an Offence of the like Nature, and Acquitted.

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219. **William Ruſſel**, otherwiſe **Saunders**, together with *Matthias Keys*, not yet taken, ſtands indicted for committing a Robbery upon the King's Highway upon *William Spear*, and feloniouſly taking from him one Silver Watch, Value 3 l. *&c.* the 15th of *March*.

Q. (to William Spear.) What have you to ſay againſt the Priſoner at the Bar?

Spear. Pleaſe you, my Lord, on the 15th Day of *March* laſt I was going home to *Chelſea* from *London*.

Q. What Time of the Day?

Spear. Between Six and Seven o'Clock in the Evening.

Q. Was you on Horſeback or on Foot?

Spear. They came up to the Coach of *Joſeph Danvers*, Eſq;

Q. Who was in the Coach?

Spear. Joſeph Danvers, Eſq; and one of his Daughters; it was between the Fire-Engine and the Watch-Houſe.

Q. The Fire-Engine; where?

Spear. In *Chelſea* Road.

Q. Well, what happen'd there?

Spear. There came a Gentleman-like Man up to the Coachman, and held a Piſtol up againſt him, and bid him ſtand; and when the Coachman ſtood, he (the Priſoner) came up to the Window on the Left Side; then there was another on the Right-hand Side of the Coach came up.

Q. Then the Perſon that made the Coachman ſtop was on the Left Side.

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* *This* William May, *for ſeveral Seſſions paſt, has convicted one or more at a Time, for ſtealing very ſmall Quantities of Tobacco.*

Spear. Yes, my Lord, and the other came to the Right.

Q. Were they on Horſeback or on Foot?

Spear. Both on Horſeback.

Q. Then what happen'd?

Spear. Him on the Right-hand Side of the Coach demanded my Maſter's Watch, or he would ſhoot him.

Q. What were his Words, as near as you can remember?

Spear. He ſaid, Sir, your Watch, or I will ſhoot you.

Q. Had he any thing in his Hand.

Spear. A Piſtol, my Lord.

Q. What follow'd next?

Spear. Then the other on the other Side demanded of Miſs her Watch and Rings, and put his Piſtol in at the Window.

Q. Who demanded her Watch and Rings?

Spear. It was one *Keys*. Maſter ſaid, I have never a Watch, nor ever had one. Then they ſtood ſtill; and he on the Left-hand Side of the Coach bid me, I think, look another Way. I did not ſay any thing to him, but thought of my Watch; and looking down to ſee if I could ſee the Seals out, he perceiv'd me, and came up and took my Watch.

Q. What did he ſay to you?

Spear. He ſaid, if your Maſter has got never a Watch, I ſee you have, and I will have it. I ſaid, I hope you will not take mine. Yes, ſaid he, I will, or elſe I will ſhoot you.

Q. Do you believe, upon your Oath, that is the Man that took your Watch?

Spear. Yes, my Lord.

Q. How do you know it? how was he dreſs'd then?

Spear. He was dreſs'd in darkiſh Clothes, as near as I can gueſs.

Q. What Sort of a Horſe had he?

Spear. As near as I can gueſs it was a Bay Horſe.

Q. What follow'd after this; after he got your Watch?

Spear. They rode off both towards *London*.

Q. What Day was this?

Spear. On *Saturday*, my Lord.

Court. You don't know whether they took any thing from Mr. *Danvers* or the young Lady in the Coach?

Spear. I did not ſee them take any thing, my Lord.

Q. Have you got your Watch again?

Spear. Yes, my Lord, I ſaw that on *Monday* at Sir *Thomas De Veil*'s.

Q. How do you know it?

Spear. I know the Mark, *Thomas Brown, London*; I deſcrib'd the two Seals, I ſhew'd the Mark within-ſide, which is not common.

Q. What are the Seals made of?

Spear. One is Steel, the other is Braſs.

Q. You loſt this on *Saturday*, how came you to have it again on *Monday*?

Spear. I read on the *Sabbath-Day* that a Highwayman was taken; and as I was going to *Lincoln's-Inn* with my young Maſter, we heard that a Highwayman was taken up, and we would go and ſee how it was; and when I came to Sir *Thomas De Veil*'s he told me of the Watch.

Q. Now look upon the Priſoner, and ſpeak like an honeſt Man. Do you know that he is the Man?

Spear. Yes, my Lord.

Court. He was before Sir *Thomas De Veil*.

Spear. Yes, my Lord. Sir *Thomas* told me when I went firſt, to come at ſuch a Time and the Priſoner ſhould be there.

Court. Then you went in purſuance of the Notice Sir *Thomas De Veil* gave you.

Spear. Yes, my Lord.

Q. (to Thomas Brown.) What are you?

Brown. I am an Apprentice to *Edward Reynolds* of *Frith-Street*.

Q. What do you know of that Watch?

Brown. Pleaſe you, my Lord, the Priſoner at the Bar brought that Watch the 15th of *March* at Night.

Q. Did you know the Priſoner before?

Brown. Yes.

Q. How came you to know him.

Brown. He brought me a Gold Watch about ſix Weeks before this?

Q. Did you know where he liv'd?

Brown. No, my Lord.

Q. Was *Keys* with him?

Brown. Yes, my Lord; but he made his Eſcape?

Q. What did he ſay when he brought the Watch to you?

Brown. He ask'd two Guineas and a half for it.

Q. When he brought you this, what did you do?

Brown. I ſtopt him; for the next Day after he brought the Gold Watch it was advertis'd. I look'd at it that he might have no Suſpicion that I would ſtop him. I bid him a Guinea and a half for it; there was nobody at home, my Maſter was not within

within. I told him my Maſter was juſt by, and may be he would let him have more.

Q. Then when you went out what then?

Brown. I went to one Mr. *Pardy* juſt by, and I told him the Caſe; he came along with me, and went for ſome Aſſiſtance; when I came back again, they had ſome Suſpicion, and I met *Keys* at the Door; he asked me whether I had found my Maſter; I ſaid, no, I had been at one Place, and I would go to another; and he ſaid, D——n your B——d, give me the Watch: (I had it in my Pocket to ſhew it to my Maſter) I ſaid, I had not got it, I had left it. He ſaid again, D——n you, give me the Watch: With that he put his Hand in his Pocket, and turned himſelf on one Side; I ſaw him turn himſelf, and I whipt acroſs the Way: Upon that the Perſon I went for, came up. *Keys* call'd after me, and he went in and call'd the Priſoner at the Bar, and when he came out, the Perſon caught him in his Arms, and the other made his Eſcape.

Q. Are you ſure this is the Man?

Brown. I have ſeen him two or three Times; he brought me a Gold Watch; and I know that is the Watch, I have had it in my Cuſtody for ſix Weeks.

Q. Are you ſure this is the Watch?

Brown. Yes, my Lord, by the particular Marks.

Court. You have behav'd extremely well, you deſerve Commendation.

Q. (*to the Priſoner*) Now is your Time to make your Defence.

Priſoner. In regard to the Watch the young Man that I was in Company with, deſir'd me to go with him to pledge it, he not being uſed to the Town?

Q. What is he?

Priſoner. He was a Vintner, but not in Town.

Q. What are you?

Priſoner. I liv'd with one Mr. *Miller*, Attorney, in *Hare Street*, *Piccadilly*.

Court. I ſuppoſe your Maſter is here, or ſome of your Friends?

Priſoner. He (the young Man I mention'd before) deſir'd I would pledge this Watch; he went off as the young Man had ſaid before. I can't ſay but I had heard ſomething of his Character before; I doubted he came by it in a clandeſtine Manner. I went to make my Eſcape, but I was taken into Cuſtody.

Q. Have you any Witneſſes?

Priſoner. I have no further Witneſs than the young Man that brought the Watch. **Death.**

William Ruſſill was a ſecond Time indicted for aſſaulting —— *Macone*, and felonioufly ſtealing one Silver Watch, Value 4 l. and putting him in Corporal Fear and Danger of his Life, the 15th of *December*.

Q. (*to William Macdore*) What have you to ſay againſt the Priſoner?

Macdore. I believe this is the Man that robb'd my Couſin of his Watch at *Mims*, four Miles beyond *Barnet*, a Quarter before Four o'Clock in the Afternoon, at *Mims Waſh*; there were two Men upon two brown Horſes came paſt us in the *Waſh*.

Q. Well, when they came paſt you, what then?

Macdore. They came up to us, one took hold of my Couſin's Bridle, and the other came up to me, ſo they robb'd my Couſin of a Silver Watch and Three Guineas.

Q. How do you know that he loſt any Thing?

Macdore. I was in Company with him, and ſaw it. I believe the Priſoner was the Man, but I can't ſwear it.

Q. That Watch you are ſure was the Watch that was taken?

Macdore. Yes, the other Man that attacked me I refuſed; the Man that robbed my Couſin he ſaid, D——n the Dog, ſhoot him.

Q. When did you ſee the Watch again when it was taken in *December*? how came you to ſee it?

Macdore. It was advertis'd; it was at Col. *De Veil*'s; he had alſo the Key of my Couſin's Bags. The Watch I know, I have had it in my Hand many Times.

Q. What is your Couſin's Name?

Macdore. His Name is *Macone*.

Q. (*to the Priſoner.* Will you ask him any Queſtions?

Priſoner. No, my Lord, I know nothing of him.

Q. (*to Abraham Biby.* What have you to ſay againſt the Priſoner?

Biby. The Priſoner at the Bar, the 27th of December laſt, pledged this Watch to me.

Q. How do you know that this is the Man?

Biby. I know he lived in the ſame Street with Mr. *Miller*, who is now moved into *Hare Street*.

Q. What did he ſay when he brought it?

Biby. He ſaid I need not look at it, for it was the ſame Watch that we had laſt Summer, which he redeemed. I lent him the Money, which was Two Guineas.

Q. I would ask you whether 'tis the ſame Watch?

Biby.

Biby. No, my Lord, I can't tell that.

Court. Then you don't know but it may?

Biby. Since he has been under Confinement, I went down to him, but he would make no Confeſſion, but ſaid that it was his own Watch.

Jonathan Hollier. I made this Watch.

Q. For whom, and when?

Hollier. I can't directly ſay, but I believe within theſe two Years.

Thomas Nightingale. I bought this Watch of Mr. *Hollier*, and ſold it to Mr. *Macone* about two Years ago.

Q. What did you ſell it for?

Nightingale. About five Guineas.

Q. (*to Ruſſel.* What do you ſay for yourſelf?

Ruſſel. That Watch I had made me a Preſent of by a young Man that lived at my Lord *Dunkeith's*, who I believe is gone out of Town. **Death.**

220, 221. **William Burn** and **Mary Kipping**, otherwiſe **Merrit**, were indicted for ſtealing one Pair of Blankets, Value 5 s. one Quilt, Value 10 s. 6 d. a Callico Covering, Value 1 s. three Shirts, Value 6 s. two Damaſk Napkins, a Camblet Gown, Value 5 s. the Goods of *Mary White*. *Mary Kipping* is charged as an Acceſſary.

Q. (*to Mary White*) What have you to ſay againſt the Priſoner? Did you loſe any Thing?

White. Yes, my Lord, a great deal of Cloaths.

Q. When?

White. Laſt *Sunday* was Fortnight I loſt the Bed Cloaths all off my Bed.

Q. Where?

White. In my Lodgings at *Thomas Miller's*, in *Swan Yard*, oppoſite *Somerſet Houſe*.

Q. Are you a married Woman?

White. Pleaſe you, my Lord, I am a Widow, and I work plain Work. I loſt all the Things mention'd in the Indictment.

Court. You loſt all theſe Things?

White. Yes, my Lord, and I got them again at *Mary Kipping's* Houſe, the Priſoner.

Q. Do you know how ſhe came by them? You loſt them at your Lodgings at Mr. *Thomas Miller's*.

White. Yes, my Lord, I was in the Kitchen; it was between Nine and Ten in the Morning, and they got into my Parlour.

Q. Do you know how they came to take them?

White. My Lord, this Boy and that Man, they ſaid they robb'd me, the Boy was taken into Cuſtody laſt *Monday* was ſe'nnight.

Q. What's the Name of the Boy?

White. *Edward Davis*, the Boy, own'd where my Things were?

Q. Where did you find theſe Things after you loſt them? Had you any Diſcourſe with *William Burn* or *Mary Kipping*?

White. I begg'd of her to confeſs the Things; but ſhe would not own ſhe had them 'till I got a Search Warrant from Juſtice *De Veil*, and we found them.

Q. How came you to diſcover theſe Perſons?

White. The Boy was in Cuſtody, that was the Way I came to hear of the Things.

Q. How did you hear of the Boy that was ſuppoſed to have robbed you?

White. A little Girl, about his Bigneſs, told me ſhe had ſeen the Boy at Juſtice *De Veil's* that robb'd me.

Q. What did you do upon that Information?

White. My Lord, I went to Juſtice *De Veil's* for a Search Warrant, and I found the Things at that Woman's Houſe. I ſearch'd at a Houſe by *Cowcroſs*.

Q. When you was inform'd you was robb'd, did not you go to the Boy?

White. Yes, my Lord; the Conſtable went to the Boy, and he told where the Goods were.

Court. So you went to Mrs. *Kipping's* Houſe at *Cowcroſs*?

White. Yes, my Lord.

Q. When you went to Mrs. *Kipping* with a Search Warrant, did you meet with her?

White. My Lord, ſhe was in Cuſtody at that Time for another Thing; for other People's Affairs, not mine.

Q. The Priſoner herſelf was in Cuſtody, and what then?

White. We found all theſe Goods in her Houſe.

Q. But do you know how the Priſoner came by them? Had you ever, at any Time, any Converſation with her? When you found the Goods in her Houſe, what did you do then?

White. Sir, the Conſtable took them away, and carried them before Juſtice *De Veil.* He took her up and committed her to Gaol.

Q. (*to Edward Davis.*) What do you know of this Matter?

Davis. Pleaſe you, my Lord, laſt *Thurſday* was three Weeks, *William Burn* and I ſat at the Alehouſe Bench oppoſite to that Gentlewoman's Houſe.

Q. What did you ſit there for?

Davis. To ſee if any body would come out, or any

any body went in; and ſo we found no body come out, and we went in, and the Key was in the Back Parlour Door.

Q. And what then?

Davis. We unlock'd the Door.

Q. What then;

Davis. Then we took one of the Sheets, and put all the other Things in.

Q. You had put up theſe Things, what then?

Davis. Then the Priſoner put them upon his Back and came out with them.

Q. Where did you carry them?

Davis. We carried them to *Merrit*'s, otherwiſe *Kipping*.

Q. Did you carry them directly to Mrs *Kipping*?

Davis. Yes, my Lord.

Q. What then?

Davis. She aſk'd what we would have for them; and we told her two Guineas.

Q. Did you ſay nothing to her when you went in? Did not the Priſoner *Burn* ſay ſomething to her?

Davis. No, my Lord. No further than ſhewing her: He untied them and went up one Pair of Stairs, and ſhew'd them to her one by one, and ſhe aſk'd us what we would have for them; and we told her two Guineas.

Q. Did ſhe aſk how he came by them?

Davis. No, my Lord. She knew how he came by them, becauſe he had brought ſeveral other Things to her Houſe.

Q. Have you been with him?

Davis. Yes, my Lord.

Q. How often?

Davis. Seven or eight Times.

Q. Did ſhe never aſk him any Queſtions?

Davis. Only aſk'd us where we took them from, and we told her.

Q. Did ſhe aſk you where you took theſe Things?

Davis. No, my Lord.

Q. When he aſk'd two Guineas, what did ſhe ſay to them?

Davis. She ſaid ſhe would not give the Money. Pleaſe you my Lord, ſhe and her Huſband got out of the Bed, and got a Guinea chang'd, and gave us five and twenty Shillings.

Q. When ſhe ſaid ſhe would not give two Guineas, what did ſhe ſay ſhe would give?

Davis. One Guinea my Lord.

Q. What then?

Davis. He ſaid he would not take a Guinea, ſo ſhe gave another Crown.

Court. You ſaid ſomething of her Huſband's getting out of Bed.

Davis. He got out of Bed and gave a Guinea to change.

Q. What then?

Davis Then we went away directly.

Q. Was that all that paſſed?

Davis. Yes, my Lord.

Q. (*to the Priſoner*) What have you to ſay?

Priſoner. My Lord he ſays I open'd the Parlour-Door; it was no ſuch Thing pleaſe you my Lord, he (the Witneſs) went into the Houſe himſelf.

Q. (*to the Priſoner* Kipping) You hear what this Witneſs ſays, will you aſk him any Queſtions?

Priſoner. I would ask whoſe Money it was I got chang'd for to pay five and twenty Shillings?

Court. He ſays your Huſband gave you a Guinea.

Q. (*to William Body*) What do you know of this Matter?

Body. I knew *Kipping* a pretty While ago. She has not liv'd with this Man but ſince ſhe has kept this Nurſery. We found theſe Goods that have been mention'd in her Cuſtody.

Q. Are you the Perſon that ſerv'd the Warrant? Did ſhe tell you how ſhe came by theſe Things?

Body. She ſaid they were *Jack Merrit*'s, her Huſband's.

Q. What then?

Body. I told her, *Kipping* was alive, and he was an Officer, *&c.*

Q. How do you know *Kipping* was her Huſband?

Body. They liv'd as Man and Wife many Years together.

Q. (*to thePriſoner* Kipping) Will you aſk this Witneſs any Queſtions?

Priſoner. When you met me on the Stairs did I ſqueeze you?

Body. I did not ſay it was you; I ſaid it was *James*'s Daughter, and, my Lord, we found this Fellow, *Burn*, (the Priſoner) in the Cock-Loft at this *Merrit*'s Houſe: We open'd a litle Place where he ſat, and I ſaid to my Brother Conſtable, ſhoot him, if he won't come down; with that he came down directly; I got away immediately, knowing what Place we were in being ſo very near *Black-Boy-Alley*, and knowing what deſperate Folks have been there. *Burn* Guilty. *Mary Kipping* Guilty, as an Acceſſary.

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222. 223. 224. **William Burn, Mary Kipping,** otherwiſe **Merrit,** and **Katherine Lowry**

Lowry (the first as Principal, and the other two as Acceſſaries) were indicted for ſtealing one Pair of Blankets, Value 5 s. one Quilt, Value 10 s. 6 d. a Callico Coverlid, Value 1 s. three Shirts, Value 6 s. two Damask Napkins and a Cambler Gown, Value 5 s. the Goods of *Mary White*.

Q. (*to Thomas Price.*) What have you to ſay againſt *William Burn*? Where do you live?

Price. In *Drury-Lane*: Laſt *Monday* Morning was ſe'nnight when I got up I could not find my Coat, ſo I put on my Waiſtcoat and look'd about, but could not find it; I thought my Wife had miſlaid it. I went out to the Door; there is a Door backward, which I found wide open; I ſaid to my Wife, we are robb'd. I diſcover'd that a large Baſket of Linnen, which had been look'd up for waſhing, was gone, and I thought it might have been done by ſome of our own Lodgers.

Q. Did any of the Priſoners at the Bar lodge with you?

Price. I never ſaw the Priſoners at the Bar, nor this young Lad, before. I went to Sir *Thomas De Veil* between Nine and Ten in the Morning; I likewiſe went up and down with a Conſtable to the Pawnbrokers, deſiring them to ſtop any Linnen that might be brought; in the Interim my Wife had News brought that they had taken one concern'd in the Robbery, which was the Boy, who ſaid the Things were left at *Lowry*'s Houſe, where we found ſome of them, and told her it was neceſſary ſhe ſhould go with us before the Colonel.

Q. What did ſhe ſay to that?

Price. She ſaid ſhe would go with all her Heart, and told us that the other Things were at one *Merrit*'s; but that if we did not make haſte they would be gone. We left this Woman and Boy before the Colonel and went to *Merrit*'s.

Q. Did you get Entrance there?

Price. Yes.

Q. What did you find there?

Price. We found the Priſoner at the Bar; and of the Goods we found a Piece of Horſe-Cloth, a Coat of mine, a Coat of my Man's, and a great many other Things.

Q. Had you any Diſcourſe with *Burn* or *Merrit*?

Price. We ſaw *Merrit*; but he got down and ran away from us.

Q. What did you do with *Burn* and *Kipping*?

Price. We took them before the Juſtice.

Q. Who firſt diſcover'd to you where any of your Things were?

Price. A Carpenter in *Short's-Gardens*.

Q. (*to Edward Davis.*) What have you to ſay againſt any of the Priſoners?

Davis. Pleaſe you, my Lord, *William Burn* and I laid at *Catherine Lowry*'s Houſe laſt *Sunday* was Fortnight.

Q. What then?

Davis. In the Morning at Two o'Clock ſhe told us it was Time for us to go out; ſo directly we got up, and went up *Short's-Gardens*, and as we went up *Drury-Lane*.

Q. Had you any previous Diſcourſe about ſuch Things?

Davis. No, my Lord; but ſhe knew we went out a Thieving.

Q. Did *Burn* and you lie together?

Davis. Pleaſe you, my Lord, we lay in the ſame Bed with her and her Huſband; when we got up we went up *Drury-Lane*, where we ſaw a Door open; ſo *Burn* ſaid, ſtay, here's a Door open.

Q. Whoſe Door?

Davis. This Gentleman's. He went a little farther in the Entry, and puſhing his Hand againſt the Door it open'd.

Q. Had you any body but *Burn* with you?

Davis. No, my Lord.

Q. When he had open'd the Door what did he do?

Davis. We went in and ſaw the Baſket full of Cloaths, in a little Waſh-houſe adjoining to the Parlour.

Q. Did you both go into the Houſe?

Davis. Yes, my Lord.

Q. Then he went into the Waſh-Houſe? What then?

Davis. We took an Apron and put them all in; we went into the Parlour, there we found a Coat, a Hat, and a white Apron, and we brought them out into the Waſh-Houſe and put them into the Apron.

Q. When you got theſe Things what did you do with them?

Davis. We carry'd them to *Katherine Lowry*'s Houſe.

Q. What Time in the Morning was that?

Davis. Between Four and Five in the Morning.

Q. How long had you been acquainted with *Katherine Lowry*?

Davis. About a Week; and when we carry'd the Things to *Lowry*'s, he and his Wife, and another Woman that was to have been *Burn*'s Wife, all got up together, and they carry'd the Things to *Merrit*'s Houſe, all of them, except one Coat and Waiſtcoat, a Couple of Aprons, a Shift that ſhe put on her Back, and a Shirt.

Court. As you all lay together I ſuppoſe ſhe made no Difficulty of ſhifting herſelf before you?

Davis

Davis. No, my Lord.

Q. When you went to *Merrit*'s Houſe who did you find there?

Davis. We found Mrs. *Merrit* and her Huſband; Mrs. *Merrit* would not buy any of them but the Horſe-Cloth, and that ſhe gave 7 s. for.

Q. If ſhe did not buy them, to what Purpoſe was it for you to carry them there?

Davis. We expected ſhe would have bought them?

Q. Was the Perſon at home that was call'd the Huſband, *Merrit?* Who gave you the Money?

Davis. Mrs. *Merrit* herſelf.

Q. What Did you do with the reſt of the Things?

Davis. She lent *Burn* a Crown to give to me for my Share of the Things, and made me ſpend 2 s. of it.

Q. Did you mention to *Lowry* or *Merrit* how you came by theſe Things?

Davis. *Lowry* aſk'd me where we took them from, and I ſaid *Drury-Lane.*

Q. When was it you gave an Account of this?

Davis. When I was taken, laſt *Monday* ſe'nnight.

Court. Then you was taken the very Day?

Davis. Yes, my Lord, there was a Gentleman in a red Cap, a Carpenter, ſaw us go by and go into *Katherine Lowry*'s, by that Means I was taken; then I diſcover'd all at the Conſtable's Houſe.

Q. Was you before Sir *Thomas De Veil* when *Burn* was brought there?

Davis. Yes, my Lord.

Q. Do you remember any thing that he ſaid before Sir *Thomas?*

Davis. I remember he ſaid he would confeſs nothing at all.

Q. *(to Wapſhot,* Conſtable.) Where did you find theſe Things?

Wapſhot. At *Lowry*'s Houſe; a Sack full of them upon the Stair-Caſe and ſome in the Chamber; I found *Burn* in the Cock-loft; I dare ſwear he won't deny it.

Q. When you found him there what did you do with him?

Wapſhot. I carry'd him and *Merrit* before Sir *Thomas De Veil.*

Q. Did either of them ſay any thing to this Fact?

Wapſhop. *Merrit* ſaid he did not know how the Things came into the Houſe.

Q. Have you any thing more to ſay? Did *Burn* ſay any thing to Sir *Thomas?*

Wapſhot. No, my Lord; he had hardly any thing to ſay for himſelf.

William Burn was acquitted of the Burglary, but found guilty of Felony. Tranſportation for ſeven Years.

Mary Kipping and *Katherine Lowry* were found guilty as Acceſſaries in the ſame Felony. Tranſportation for fourteen Years.

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225. **Henry Thomas** was indicted for ſtealing a Canniſter and a Pound of Tea, the Goods of *William Martin*, of St. *Martin's-Lane*, on the 22d of *April.*

Q. *(to William Martin.)* What have you to ſay againſt the Priſoner at the Bar?

Martin. The Canniſter was ſtole out of my Shop between Ten and Eleven o'Clock at Night, as near as I can gueſs.

Q. Did you loſe any thing beſides the Canniſter?

Martin. Yes, my Lord, a Pound of Tea in it.

Q. How came you to have it again?

Martin. I purſued him.

Q. Then you was in your Shop.

Martin. No, I was in my Parlour; this Gentleman was with me in the Parlour, and he ſaid to me, the Canniſter is gone Sir: Upon his ſaying this, I went out of the Shop, and this Gentleman overtook him. I took up the Canniſter after he dropp'd it. Guilty.

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226. **Thomas Finch** of the Pariſh of *Fulham*, was indicted for counterfeiting a Promiſſory Note for eleven Pounds. Acquitted.

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227. **Mary Wynn** was indicted for ſtealing a Silver Tankard, ſix Silver Spoons, Value 30 s. and 20 Guineas, the Property of *Philip Brewit*; but the Evidence againſt the Priſoner not being ſufficient, ſhe was Acquitted.

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228. **Anne Wright** was indicted for feloniouſly ſtealing and carrying away a Promiſſory Note, the Property of *Jonathan Trot*, the 15th of *March.* Acquitted.

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229. **Anne Smith**, otherwiſe **Gregory**, was indicted for ſtealing two Linnen Shifts and a Woman's Gown, the Goods of *John Townſhend.*

Acquitted.

230. **Thomas Webb** was indicted for ſtealing a Trunk, Value 3 s. three Linnen Shirts, Value 12 s. the Goods of *Frances Marras*. The Priſoner pleaded Guilty, and appearing a weak inoffenſive Man, always bearing a good Character before this Time, and ſeveral appearing for him, with a Promiſe of taking care of him for the future, he was only order'd for Corporal Puniſhment.

231. **Mary Bromley** was indicted for ſtealing one Pair of Linnen Sheets, Value 15 s. the Property of *John Watkins*, of *Uxbridge*, the 7th of *May*. Guilty.

232. **Elizabeth Church** was indicted for ſtealing one Linnen Shirt, Value 2 s. one Cambrick Handkerchief lac'd, Value 3 s. one Dimity Gown, the Goods of *Robert Porter*. Guilty.

233. **Grace Pilkington** was indicted for ſtealing three Linnen Shirts, Value 15 s. the Property of ——— *Hemſkirk*. Guilty.

234. **Sarah George** was indicted for ſtealing one Guinea and a Half, the Property of *Vincent Jones*, the 14th of *April* laſt.

But the Matter upon Evidence proving doubtful, and the Priſoner having a good Character, ſhe was Acquitted.

235. **Jane Clark** was indicted for ſtealing two Yard and a Half of printed Cotton, the Property of *Peter Banniſter*, and found Guilty; but was recommended to the Favour of the Court by the Proſecutor, as he had heard a good Character of her, and believing this to be the firſt Fact. To be Whipp'd.

236. **William Broughton** was indicted for ſtealing two Cloth Coats and a Cloth Waiſtcoat, the Property of *Richard Davenport*; and a Cloth Waiſtcoat and Breeches, the Property of *John Jenkins*. Guilty.

237. **Elizabeth Carnes** was indicted for ſtealing three Linnen Sheets, Value 6 s. a Tablecloth, Value 10 s. two Knives and two Forks, *&c.* the Goods of *Patterkaket* and *Woodley*.

But the Fact not appearing clear, and the Priſoner having a good Character, ſhe was Acquitted.

238. **Mary Marſhall** was indicted for ſtealing a Silver Spoon, the Property of *Amos Wenman*, near the *Royal Exchange*, the 28th of *May*. Guilty.

239. **Elizabeth Ellis** indicted for ſtealing three Quilted Petticoats, one Cloth Cloak, ſeven Linnen Shirts, Value 30 s. three India Handkerchiefs, Value 15 s. three Cambrick Mobs, Value 8 s. four Holland Mobs, Value 6 s. and two Check Aprons, the Goods of *James Frazier*. Guilty.

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 3.

Samuel Watſon	199, 200	*William Ruſſel*	218
Samuel Prigg	216		

Receiv'd Sentence of Tranſportation for 7 Years, 18.

James Carter	196	*Joſeph Walters*	210
William Donnington	197	*George Ogleby*	213
Anne Burn	203	*Rebecca Wooley*	214
William Hoyles	204	*William Broughton*	236
Jane King	205	*Elizabeth Ellis*	239
Anne Weſton	206	*Mary Bromley*	231
John Finch	207	*Elizabeth Church*	232
Samuel Gardner	208	*Henry Thomas*	225
Suſannah Thornton	209	*William Burn*	220, 222

To be Tranſported for 14 Years, 2.

Mary Kipping and *Katherine Lowry* 222, 224.

To be Whipp'd 4.

Jane Anderſon	194	*Thomas Webb*	230
Jane Clark	235		

Burnt in the Hand, 2.

Walter Roberts	201	*Grace Pilkington*	233
Mary Marſhall	238		

The Rebel Priſoners taken at *Carliſle*, and committed for High Treaſon, were order'd to remain.

Next enſuing Seſſions to begin,
On *Monday*, *June* 30, at *Guildhall*.
On *Wedneday*, *July* 2, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 2d and THURSDAY the 3d of *July*,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Sixth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VI.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

(Price Six-pence.)

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, the Right Honourable the Lord Chief Juſtice PARKER, Mr. Juſtice BURNET, Mr. Juſtice DENISON, JOHN STRACEY, Eſq; Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

Middleſex Jury.	London Jury.
Walter Lee,	*Jonathan Farr*,
John Deſchamps,	*Thomas Hopkins*,
Thomas Huddle,	*Thomas Downer*,
Robert Herropp,	*James Allen*,
William Lewis,	*Ephraim Ellcock*,
William Wilton,	*James Fox*,
Thomas Woodward,	*John Pitt*,
Andrew Morran,	*William Sparrow*,
John Sandwiſh,	*Joſeph Hutt*,
William Boorſecher,	*Samuel Tayler*,
William Duck,	*William Sharp*,
Thomas Biſhop,	*Joſeph Maſon*,

240. 241. **John Jennings** and **John Humphrys** were indicted for aſſaulting and robbing *James Crey* in a certain Field, or open Place, near *Stepney*, and taking from him a *Pinchbeck* Metal Watch, a Cornelian Seal, a Pair of Shoe and a Pair of Knee Buckles, on the 22d of *May*.

Q. (to James Crey.) Where was you robb'd, and when?

Crey. The 22d of *May* laſt; my Father-in-Law deſir'd me to go to *Bow* Fair to ſeek after his Children about Eleven o'Clock at Night; ſo we went to the Fair and ſaw nothing of them there; but heard they were ſtray'd upon the Common; in coming from thence we went into a Booth upon the Common and aſk'd for the Children: On the Fields Side of the ſaid Common, near *Stepney*, a Man paſs'd me and bid me good Night; preſently after another, and he bid me good Night alſo; I bid him good Night, and he wiſh'd me well home: It was Moonlight and I walk'd 'till I got under the Shade of the Trees, when a Man came behind me and ſnatch'd my Stick out of my Hand; he put a Piſtol to my Breaſt and bid me ſtand and deliver; immediately another jump'd from behind the Stile and clapp'd his Piſtol to my Breaſt alſo: They demanded my Money, threatning to blow my Brains out in Caſe of Refuſal; I told them I had none, and begg'd they would not uſe me ill and I would give them what I had; with that one of them put his Hand into my Fob and took out my Watch.

Q. Do you remember which it was?

Crey. I can't tell, my Lord, but he had a Frock and a Regimental Waiſtcoat on.

Q. What Watch was it?

Crey. A *Pinchbeck* Metal Watch with a Gold Dial-Plate and a Cornelian Seal ſet in Gold to it; they ſearch'd my Pockets and took out a Couple of Handkerchiefs, one Silk and the other Linnen; they alſo took my Pocket-Book: One took out my Watch and another of them my Pocket-Book.

Court. So they both of them were rifling of you?

Crey. Yes, my Lord.

Q. Do you know them?

Crey. I can't ſay, my Lord, that I know them. I told them my Pocket-Book would be of no Service to them, and deſir'd they would return it: They took the Silver Buckles out of my Shoes and

Knees

Knees, and then bid me go over the Stile; they ſent me towards *Limehouſe*, which was a Mile out of the Way. There were three of them, but only two came up; I ſaw the other robbing my Father-in-Law.

Q. What is your Father-in-Law's Name?

Crey. His Name is *Birch.*

Q. What Buſineſs is your Father-in-Law.

Crey. A Perukemaker, Sir.

Q. Did you go the Way they would have ſent you?

Crey. No, my Father deſir'd I might go with him.

Court. You ſay one had on a Footman's Frock and a Regimental Waiſtcoat?

Crey. Yes.

Q. How were the other apparel'd?

Crey. I could not ſee any thing of either of them for the Shade of the Trees; only the Man that paſs'd me in the Moon-ſhine, he that ſtopp'd me firſt, who had on a Footman's Frock, *&c.*

Q. Did you obſerve what kind of Piſtols they were?

Crey. I took them to be Holſter Piſtols; I could not diſtinctly ſee them as they had them in their Hands. I took the Men to be Troopers.

Q. (*to Moſes Birch.*) What do you know of this Matter?

Birch. My Son and I were coming from *Bow*; in the firſt Field from the Common I heard the Footſteps of a Man, but could not ſee him for the high Ridge of Trees that ſhaded the Moon: I call'd out to the Man to know if he had ſeen any Children that had loſt their Way; I bid him good Night, he ſaid the ſame to my Son: The Man that bid me good Night turn'd about and bid me deliver my Money; he ſaid, give me your Money juſt now or I will ſhoot you; I ſaid I had none nor none would I give them; for I was in Confuſion and Hurry about my Children. I ſaw two Men ſtop my Son and heard all that was ſaid; my Son ſaid to them, Gentlemen, don't uſe me ill, I have nothing valuable about me but my Watch, Shoe-Buckles and Knee-Buckles.

Q. How far was you from him?

Birch. About as far as the Leads. While two were robbing my Son the other was with me, thinking he could cope with me, being a little Man; but I would not be robb'd by him.

Q. I forgot to aſk your Son if he met with his Watch again.

Birch. No, my Lord.

Q. (*to William Barns.*) What do you know in relation to this Matter?

Barns. My Lord, I keep a Goldſmith's Shop upon *Ludgate-Hill*; there came a young Woman to me to weigh ſome Buckles.

Q. When was that?

Barns. The 23d of *May.*

Q. What were thoſe Buckles?

Barns. They were two Pair of Shoe-Buckles and Knee-Buckles; they were brought by a Servant, who ſaid ſaid ſhe came from her Miſtreſs in *Fleet-Lane* to know the Value of them; I look'd upon them and weigh'd them, and as I had a Warning from the Goldſmiths Company to ſtop two Pair of Shoe-Buckles and a Pair of Knee-Buckles, and theſe Things anſwering the Deſcription in the Warning, I told the Maid I would go along with her; I took the Warning in my Pocket, and call'd upon one Mr. *Johnſon*, a Conſtable, to go with me; and deſir'd him not to go directly into the Houſe, but ſtay a little; ſo I went in and there were two or three Women and a Man there.

Q. Where was this?

Barns. In *Fleet-Lane.* When I came into the Houſe I enquir'd who the Buckles belong'd to; the Woman of the Houſe ſaid they were a Man's who had left them there; I aſk'd when he would return, and ſhe ſaid ſhe was not certain as to the Time of his Return: I deſir'd to know whether it would be a Week or a Fortnight, and enquir'd who the Gentleman was that ſat by her; ſhe ſaid it was her Brother; ſo with that I pull'd this Warning out of my Pocket and read it; as ſoon as ever I had done ſhe got up and went into a Place backward and I follow'd her; a Soldier was ſitting in a Chair there and I aſk'd him if they were his Buckles; he ſaid yes, and that he bought them in *Covent-Garden.*

Q. Was the Man either of theſe?

Barns. Yes, *Humphrys* one of the Priſoners at the Bar.

Court. Then thoſe were the two Pair of Buckles, and the Knee-Buckles.

Barns. Yes, my Lord, and he ſaid he had bought them at *Covent-Garden*, and gave Half a Guinea for them.

Q. What did he mean Half a Guinea for all the Buckles?

Barns. Yes, for all of them. Then I told the Conſtable he muſt carry him before my Lord Mayor, and we went there, but my Lord was not within; then I aſk'd for the Beadle of Goldſmith's-Hall, to give Information to the Gentleman that gave this Warning out, *&c.*

Q. (*to Crey*) Are theſe your Buckles, the Buckles that you were robb'd of?

Crey. Yes, my Lord.

Q. Have

Q. Have you any Mark upon theſe Buckles?

Crey. They are foreign Make; there is no Mark upon them; I had them made in *Barbadoes.*

Q. (*to Johnſon*, the Conſtable) What do you know of this Affair?

Johnſon. Mr. *Barns* call'd upon me on Friday the 23d of *May*; I went with him to the Houſe in *Fleet-Lane*; I ſtood at the Door at firſt, that no Body might go out of the Houſe; after Mr. *Barns* had ſome Talk with the Woman, I went in; the Woman, ſhe ſeem'd to be in ſome Confuſion: I ſaid good Woman, theſe Buckles have been ſtolen and if you don't bring the Perſon that owns them we muſt charge you. With that ſhe went backward, and beckon'd with her Hand for Mr. *Barns* and I to follow her; when we came backward, there ſat *Humphrys*, one of the Priſoners.

Q. What Cloaths had he on?

Johnſon. It ſeem'd to be the Cloaths he has on now, tho' I won't be ſure, but I know his Face.

Court. You ſay you follow'd the Woman and there you found this Man.

Johnſon. Yes my Lord. I ſaid there had been a Robbery committed and theſe Buckles anſwer'd the Deſcription of the Advertiſement, and I ſaid I was fearful he was the Thief. He ſaid he had the Foul Diſeaſe upon him, that his Siſter gave him Half a Guinea yeſterday and he bought theſe Buckles with it; I ſaid if he could give me no better Account of it I ſhould take him Priſoner before my Lord Mayor; ſo I took him to the Compter as my Lord Mayor was not within; the next Morning I went to him again and I aſk'd him about the Buckles, then he ſaid he bought them on *Friday*, and before he ſaid he bought them on *Thurſday*.

Q. (*to the Priſoner*) Will you aſk this Witneſs any Queſtions?

Priſoner. Do you know me Sir?

Johnſon. Yes, very well.

Q. (*to William Bray*, the Accomplice) What have you to ſay againſt the Priſoners at the Bar with relation to the robbing of one *James Crey*? Was you at the Robbery?

Bray. Yes, pleaſe you my Lord.

Court. Tell us when it was, as near as you can gueſs.

Bray. My Lord it was about the 22d of *May*.

Q. What Time of the Night or the Day?

Bray. It might be about Twelve o'Clock at Night, as near as I can gueſs.

Q. Where was it?

Bray. It was, pleaſe you my Lord, between *Bow* and *Stepney*.

Q. Who was you with?

Bray. There was *John Jennings* and *John Humphrys*.

Court. Will you deſcribe the Manner of it?

Bray. Pleaſe you my Lord, I goes and ſees how many there might be in Company; I went firſt and gave a Signal to them that they might come up. I paſſed this Gentleman (Mr. *Crey*) and I met this Gentleman, his Father (Mr. *Birch*) and I demanded his Money.

Q. Where was your Company then?

Bray. Them two (the Priſoners) were with this Gentleman (Mr. *Crey.*) When I demanded Mr. *Birch*'s Money he trifled a little with me; with that I gave him a Knock into the Ditch and took from him 18 d. and by that Time they had robb'd this Gentleman (Mr. *Crey.*) *John Jennings* and *John Humphrys* took from him a Pinchbeck Watch and Buckles.

Q. How do you know they took this Watch and Buckles?

Bray. One of the Tongs of the Buckles was broke which they took from Mr. *Crey*. Then, when they had robb'd the Gentleman, they came to me, and aſk'd me whether I had look'd upon his Shoe-buckles and Knee-buckles, which I had not; for after I had knock'd this Gentleman down into the Ditch, he took out an Inſtrument, and ſaid, I might have that if it would be of any Service; I told him it would be of no Uſe to me, he might keep it and be d——d.

Q. What Inſtrument was it?

Bray. I don't know but it was an Inſtrument to draw Teeth with. Then *John Humphrys* went into the Ditch, and took his Shoe-buckles, which were mark'd *G. B.* and a Pair of Knee-buckles.

Q. What then?

Bray. Then one of them went to go one Way, and the other another; I ſaid, I deſire you may go together, which they did, towards *Bow*.

Q. What became of this Watch and Buckles?

Bray. Pleaſe you, my Lord, I carried the Watch and the Buckles to one Mr. ——— in the *Old-Baily*. After I had carried them there, that Man, *John Humphrys* (the Priſoner) ſaid, I believe you have cheated me, and I deſire you may go and fetch the Buckles again; and I told him, if he went to make away with them it ſhould be the worſe for him: So I fetch'd them back again.

Q. Did you give them to *Humphrys*?

Bray. Yes, my Lord.

Q. Do you know what became of them afterwards?

Bray.

Bray. Pleaſe you, my Lord, he went ſome where to have them valued, and had them ſtopp'd.

Q. Do you know what became of him afterwards, where he frequented, or where he lodg'd?

Bray. He lodg'd at the ſame Houſe that I lodg'd in at that Time.

Q. Where was that?

Bray. In *Ice-Alley* in *Weſtminſter.*

Q. Was you ever in *Fleet-Lane?*

Bray. Yes, my Lord: The firſt of my going there was with *John Jennings* and *John Stephens*, and ſome more unknown to me; they had got ſome Streak Iron; ſo they deſir'd of me to tell them where they could ſell it. I goes into *Black-Boy-Alley* in *Fleet-Lane*, at the *Black-Boy*, and ſhe bought it, and they ſhar'd it among them.

Q. Was this the Houſe that *Humphrys* and you frequented in *Fleet-Lane?*

Bray. I have gone to the *Black-Boy* and drank there.

Q. (*to Mr. Barns*) Mr. *Barns*, Was it the *Black-Boy?*

Barns. I can't tell the Sign; they ſell old Cloaths.

Q. (*to Johnſon the Conſtable*) Was it the *Black-Boy?*

Johnſon. Yes, my Lord.

Q. (*to the Priſoner Humphrys*) What have you to ſay for yourſelf by way of Defence?

Priſoner. Pleaſe you, my Lord, I bought theſe Buckles in *Covent-Garden*, with the Half-Guinea my Siſter gave me.

Q. Can you call any Witneſſes of it?

Priſoner. No, my Lord.

Q. (*to Jennings the Priſoner*) What have you to ſay by way of Defence?

Jennings. Pleaſe you, my Lord, I never was in the Evidence's Company. He charges me with being preſent and aſſiſting in this Robbery; I never was in Company with him, but as I have met him in *Fleet-Street*, and drank a Mug of Beer with him, or the like.

Q. (*to Mr. Birch*) Was you knock'd down?

Birch. He hit me a Blow which made me draw back and ſupport myſelf with the Bank.

Q. Had you any Inſtruments about you?

Birch. That he might not think that I had a great deal of Money, I ſaid, What can you have of a poor Barber? Will you have this Inſtrument? and he ſaid, D——n you, no. *

Q. (*to Mary Randal*) Who do you appear for?

Randal. For *John Humphrys.*

Q. Are you his Siſter?

Randal. Yes, pleaſe you, my Lord; and I let him have Half a Guinea.

Q. Where do you live?

Randal. At Mrs. *Due*'s at *Chelſea.*

Q. When was it you let him have Half a Guinea?

Randal. My Lord, to the beſt of my Remembrance, it was the 17th or 18th of *May* laſt. Pleaſe you, my Lord, he told me that this Half Guinea was to buy Buckles.

Q. Does he deal in Buckles?

Randal. I don't know, my Lord.

Q. (*to —— Martingal*) How long have you known the Priſoner *John Jennings?*

Martingal. I have known him from his Infancy, and never heard but he was a good honeſt Man. I have nothing more to ſay. *John Humphrys* Guilty. **Death.**——*John Jennings*, Not guilty.

242, 243. **John Stephens** and **John Jennings**, in the Pariſh of *Pancras*, in a certain Field and open Place, upon the King's Highway, did aſſault and rob *Edmund Knapp*, of one Cloth Coat, a Hat, *&c.* on the 4th Day of *May.*

Q. (*to Edmund Knapp*) Was you aſſaulted and robb'd?

Knapp. Yes, my Lord.

Q. Where? and when?

Knapp. A coming from *Hampſtead* the 4th of *May*, it was on this Side *Mother Red Caps*, juſt entering into the Field, in the Path Way, I was attack'd by two Men firſt.

Q. In what Manner did they attack you?

Knapp. They did not ſay any Thing at all to me, but I ſtruggled with two of them, and thought I had made my Eſcape from them.

Court. So you ſtruggled with them?

Knapp. Yes, Sir, and I got free from them too, and the third Perſon came up and knock'd me down, and took my Senſes from me.

Q. Was it light enough for you to obſerve the two Perſons that attack'd you?

Knapp.

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* Bray, *the Accomplice, was kept out of the Court during the Time the other Witneſſes were examin'd; and the Reaſon of this laſt Queſtion being put to* Birch *now was, that he had not mention'd the Circumſtance in his former Evidence of his being knock'd down, which* Bray *had taken Notice of.*

Knapp. No, Sir, I ſtruggled with them in Fear, ſo that I can't tell. As ſoon as ever I found myſelf upon my Legs again, for they lifted me up, there was a Piſtol put to my Breaſt, and one of them ſaid, *Blow his Brains out*, the Piſtol was at the ſame Time at my Breaſt.

Q. Well, what did they do at the ſame Time?

Knapp. They took from me a Coat and Hat, and put an old one upon my Head.

Q. Have you ever ſeen or heard any Thing of theſe Things?

Knapp. No, my Lord, they took out of my Pocket a Book, a Handkerchief, and a Pair of Gloves.

Court. Then you know nothing further with Relation to this Fact, or who did it?

Knapp. I know no further.

Q. (to William Bray) Was you preſent at the Robbery of *Edmund Knapp?*

Bray. Yes, my Lord.

Q. What Time was it?

Bray. To the beſt of my Knowledge it might be the 4th of *May.*

Q. Where was it perform'd?

Bray. Between *Mother Red Caps* and *Tottenham-Court.*

Q. Was it in the High Road or Foot Path?

Bray. In the Foot Path, my Lord.

Q. Who was preſent there?

Bray. John Stephens and *John Jennings*, my Lord.

Q. What did they do?

Bray. Demanded his Money, and took from him his Hat.

Q. Was that the firſt Thing that paſſed between them?

Bray. Jennings went forward to ſee how many there were in Company; he gave a Signal, and we attack'd this Mr. *Knapp.*

Q. Who attack'd him?

Bray. I attack'd him, pleaſe you, my Lord; he paſſed me, and attempted to run away. *John Stephens* ſtopt him, and I came up to him and knock'd him down.

Q. Then *John Stephens* ſtopt him? Was there any Struggle between them?

Bray. Not much; when I came up I knock'd him down.

Court. Then he had not got looſe from *John Stephens* when you ſtruck him?

Bray. No, my Lord.

Q. Well, what paſſed after that?

Bray. After that *John Jennings* he came back; when we helped him up, *John Jennings* ſaid, *Blow his Brains out.* I ſaid, No, we wont be guilty of any Murder, ſo puſhed the Piſtol to one Side of his Breaſt: We took from him a Hat and a Coat.

Q. Who took the Hat and Coat from him?

Bray. To the beſt of my Knowledge it might be *John Stephens* that took the Hat off his Head, and put another on.

Q. Who took his Coat off?

Bray. I ripp'd it open, and *John Jennings* pulled it off behind him; and in the Pockets of the Coat, pleaſe you my Lord, there was a Pair of Gloves and an Indenture.

Q. What elſe?

Bray. An Explanation of the Baſs Relievo of the *Manſion Houſe.*

Q. And what did you do with the Coat?

Bray. The Coat was ſold to Mr. —— in the *Old Baily* for 17 *s.* and *John Stephens* and I went along with Mr. —— and his Man to *Poplar* with ſomething he had to diſpoſe of to a Cuſtomer that he was to receive Money for, out of which he was to pay us; we then receiv'd of him Half a Guinea.

Q. (to the Priſoner) Will you aſk this Witneſs any Queſtions?

Stephens. My Lord, I don't know the Man, nor was I ever with him in my Life; I might have ſeen him doing my Duty, but no otherwiſe.

Death.

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244. **James Lewin** was indicted for ſtealing a Gold Watch in the *Minories*, the Goods of *Thomas Gardner*, the 27th of *May.*

Q. (to Thomas Gardner) Do you know the Priſoner?

Gardner. No, my Lord, any more than he was brought to me. I am the Proſecutor that loſt the Watch on *Tueſday* the 27th of *May.*

Q. Where did you loſe it?

Gardner. Out of my Shew Glaſs, my Lord.

Q. What are you?

Gardner. I am a Goldſmith and a Watchmaker.

Q. Where is your Shop?

Gardner. In the *Minories.*

Court. Then you did not ſee the Boy take it?

Gardner. No, my Lord, I was out of Town that Day, but the Priſoner ſaid he watch'd my Wife into the Parlour; then he, with one *Cutoſh*, did it, who was concern'd with him in the Robbery. The Priſoner own'd to me, that when my Wife

was

was in the Parlour, they took an Opportunity to preſs down the Glaſs, but they could not get the Watch out readily. Then they went and got a Nail and crook'd it, and with that they haul'd the Watch out, and he whipt it into the others Boſom. They could not get their Hand in, but with a crooked Nail haul'd it out, and, as I ſaid before, deliver'd it into the other Boy's Boſom; they then croſs'd the Way through *Aldgate*, and turn'd down *Crutched-Fryers*, and upon *Tower-Hill*; there the Boy gave this the Watch again, and he put it into his Fob or Breeches, and they went to a Jew's in *Rag-Fair* to ſell the Watch, but he was not at home. They went then to *Rice Jones*'s Wife in *Long-Lane*, *Weſt-Smithfield*, who keeps a Chandler's Shop, and ſells Small Beer, and they ſold it for Two Guineas.

Q. What was the Watch worth?

Gardner. Seventeen Guineas, my Lord.

Q. Do you know what Age this Boy is?

Gardner. He ſaid he was 14 Years of Age. He came the ſecond Time, and ſaid he ſaw a fine Thing the Ladies uſe, but my Wife miſſing the Watch, took Care of the Glaſs; he ſaid he came to get the Thing that the Ladies put in their Ears, or another Watch; that is what he told me.

Q. How came you by this Boy?

Gardner. I advertis'd my Watch Five Guineas Reward: There were two Men that make it their Buſineſs to take up theſe Boys, they with the Conſtable brought him to my Shop; they ſaid they took him from between a Couple of Whores.

Q. (*to John Hawkins*) What are you?

Hawkins. A Saleſman in the Minories.

Q. Do you underſtand any Thing with Relation to this Robbery of Mr. *Gardner*'s Gold Watch?

Hawkins. Nothing more, my Lord, but what the Boy acknowledg'd himſelf.

Q. Where was it that he acknowledg'd it?

Hawkins. At the *Paul*'s *Head* Tavern facing St. *Lawrence*'s Church, there he confeſs'd that he, with another Lad, one *Cutoſh*, did take a Gold Watch out of Mr. *Gardner*'s Shew Glaſs.

Q. Did he tell you in what Manner?

Hawkins. In the Manner Mr. *Gardner* has expreſſed, by drawing of it out with a Nail.

Q. Did he tell you how he diſpoſed of it?

Hawkins. He told me after they had taken it out from thence, they went into *Crutched Fryers*, and ſo to *Rag Fair*, to a Perſon there that buys ſtolen Goods, but the Man was not at Home. Then they went to *Long Lane* in *Smithfield*, to *Rice Jones*'s, where the Woman gave him Two Guineas for it. They gave Six-pence to a Perſon to carry it out to enquire whether it was Gold or Metal, and they ſaid it was Metal. He ſaid there was a pretty Thing in the Glaſs, which were Ear-Rings, that he wanted, if not another Watch.

Court. You know nothing further?

Hawkins. Nothing further, my Lord, than he acknowledg'd.

Q. (*to Thomas Gardner*) Did you, at the Time you had the Converſation with the Boy, promiſe him if he would make a free Confeſſion, you would not proſecute him?

Gardner. Upon my Oath I did not promiſe any Thing directly or indirectly.

Q. Was there any Encouragement given him if he would make a fair Declaration, that it ſhould be better for him if he would tell the Truth?

Gardner. None at all, my Lord, it was a voluntary Confeſſion of his own.

Q. (*to the Priſoner*) What have you to ſay for yourſelf?

Priſoner. They gave me Wine and Liquors at the Tavern, and made me fuddled; and they gave me five or ſix Drams, &c.

Q. (*to William Lewin*) What are you?

Lewin. The Father of the Child.

Q. How old is your Son?

Lewin. Fourteen at St. *Thomas*'s Day.

Q. Did he live with you, or was he out?

Lewin. He liv'd with me, my Lord.

Q. Did you ever hear any Complaint of him?

Lewin. Never in my Life, my Lord, before.

Q. (*to Elizabeth Lewin*) Your Son liv'd at home, how did he behave? did you ſee any Tricks like Roguery? did you employ him in any Buſineſs?

Lewin. Yes, Sir, he uſed to go out along with the Carmen.

Q. What did he do with them?

Lewin. He uſed to drive their Horſes, and give them Hay, &c.

Q. How came you not to keep him to your own Buſineſs, a *Carpenter*?

William Lewin. My Lord, he would not work along with me.

Q. (*to Gardner*) When was he taken up?

Gardner. On *Tueſday* he committed the Robbery, and on *Monday* ſe'nnight following he was taken up.

Q. Have you had the Watch?

Gardner. No, my Lord, I have loſt the Watch.

Acquitted.

245. **John Dodson** was indicted for ſtealing a Bag of Cotton, the Property of *John Grey*, the 13th of *June*.

Q. (to Mr. John Grey) What do you know in Relation to this Cotton?

Grey. I think it was the 13th of *June*. On the *Friday* I happen'd to be out about ſome Buſineſs, and came home about Ten o'Clock. My Man, *John Dodſon*, (the Priſoner) had packed up a Bag of Cotton, 30 or 40 Pounds Weight. I came home the *Friday* Evening; I had been receiving ſome Money, and I ſent him for Acceptance of a Note; he brought me a Draught upon Alderman *Hankey*. The next Morning my Siſter ſaid, What Cotton was that *John* carried out to *Iron Gate?* I ſaid I ſold no Cotton: I look'd at him, and ſaid, *John*, What is the Matter of this? he ſaid, Sir, Don't be frighten'd and uneaſy, for you ſhall know the Truth of it. My Brother ſaid, *John*, I am afraid you are a Rogue: Indeed, we were extremely frighten'd at the Thing. He went out as if he was going to make Water, and took to his Heels, and away he went, and I heard no more of him; both my Brother and I ſaw him go, but our Surprize was ſo great, we had not Power to ſeize him, or call after him; he was a Man we had a very good Opinion of. With this I went to *Iron Gate*, to the Sign of the *City of Briſtol*: I aſk'd the Gentlewoman of the Houſe, who is a Woman of good Character and Fortune, about him; ſhe ſaid he had lodged in her Houſe frequently. I aſk'd her if ſhe knew of any Cotton; ſhe ſaid he had brought ſomething or another, and that he ſhould ſay that Cotton was exceeding dear, and that little Parcel of Cotton was worth three or four Pounds. The next Thing I did, I ſent to a Relation's of his in *Burr-Street*, in St. *Katherine*'s, and while we were at this Houſe together, talking of this Affair, the Priſoner came in; As ſoon as he came in, the Woman of the Houſe ſhew'd him up Stairs, and ſaid, *John*, I hear a ſad Character of you. When he came up, I ſaid *John*, how is this Thing? You have committed a Robbery here. At firſt, my Lord, he deny'd it; his Relation prevail'd upon him, and I together, to confeſs the Fact: I ſaid the Thing will be better for you, don't be deſperate, but confeſs the Truth. He told me, if I would have Mercy upon him, or ſomething to that Purpoſe, he would tell me the whole Affair: He told me that he did bag up the Cotton in the Afternoon, and he had brought it to that very Houſe, and that he would get me my Cotton again. He went out with his Relation and a Friend of mine, in order to bring it again. I ſaid to his Relation, what muſt I do in a Thing of this Nature? I don't know how to act in it: Will you be Security that this Man will appear on *Monday* or *Tueſday*, in order to go before the Juſtice, or what is neceſſary? and let me ſee him the Beginning of the Week: Indeed, the Relation ſaid, 'tis ſo tender a Thing, if you had aſk'd me to have been Security for a Thouſand Pound, I ſhould have gave it for him, but as theſe Things appear, I will have nothing to do with it. My Lord, I have known the Man many Years; he has been a Man in Trade for himſelf, and worth a Thouſand Pounds. In my Surprize I could not tell what to do with him: I took him over *Tower-Hill*, with a Deſign to carry him to my Houſe, and deſir'd he would be very candid with me, and tell me the whole Thing; he then ſaid, I ſold 24 lb. of your Cotton to Mr. *Scarsbrook*.

Q. (to Peter Scarsbrook.) Did you buy any Cotton of the Priſoner at the Bar?

Scarsbrook. The Priſoner came to my Houſe between Eight and Nine o'Clock on *Friday* Night; he ask'd me my Name, and ſaid, don't you buy Cotton? I ſaid, I did. I ask'd him, who recommended him to me? He ſaid, my Siſter, that lives near the May-Pole. I ask'd, whether it was ſpun or unſpun? He ſaid he would fetch it in five Minutes Time; but he ſtaid fifteen. He brought up the Cotton; I ſaid, what do you ask a Pound for it. I don't know whether he ask'd 18 or 20 Pence for it. I ask'd him his Name; he ſaid *John Dodſon*; I live, ſaid he, at the *Seven Stars* in *Biſhopgate-ſtreet*, at a Tobacco-Cutter's. I ask'd him where he had the Cotton from; he told me he had it out of *Glouceſterſhire* from a Siſter of his; I told him I would give no more than 18 d. per Pound. It weigh'd 23 Pound, and I gave him 34 s. 6 d. for it.

Q. (to the Priſoner.) Will you aſk him any Queſtion?

Priſoner. I was in Liquor when I did it. Guilty 4 s. 10 d.

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246. **Hannah Davis** was indicted for ſtealing a Piece of Linnen Cloth, the Goods of *John Cumbridge*, the 2d of *July*.

Q. (to Elizabeth Cumbridge.) Did your Huſband loſe any Linnen Cloth at any Time?

Cumbridge. Yes, my Lord.

Q. When?

Cumbridge. Yeſterday in the Afternoon.

Court. Will you give an Account of what you loſt, and the Manner of it?

Cumbridge

Cumbridge. I was in a Back Parlour even with the Shop, and there came a Woman into the Shop; there were ſome Ladies with me; one of them ſaid, Mrs. *Cumbridge*, there is a Woman in your Shop: I went into the Shop and ſhew'd her ſomething, but ſaw ſhe had a Bundle in her Lap; ſhe wanted ſome printed Linnen; I aſk'd her what ſhe had in her Lap; ſhe ſaid, what is that to you, 'tis none of your's: I ſaid it was Cloth, and I was determin'd to look at it.

Q. Was no body in the Shop?

Cumbridge. No, my Lord, I took the Piece of Cloth out of her Apron, which Cloth was twenty-two Yards; I look'd at it immediately, and knew it to be mine, becauſe that very Morning I mark'd twenty of them with my own Hand.

Q. How came ſhe ſo eaſily by it?

Cumbridge. There lay a Quantity of them upon the Counter, which I had mark'd that very Morning.

Q. Was all of them bundled up in that Manner?

Cumbridge. Yes.

Q. What did ſhe ſay to it?

Cumbridge. I ſhew'd her the reſt with the ſame Mark.

Q. What did ſhe ſay.

Cumbridge. She pretended the Child ſhe had, about five Years old, pick'd it off the Ground.

Court. Why, 'tis as big as the Child almoſt.

Q. (*to the Priſoner*) Have you any Witneſſes's?

Priſoner. The Gentlewoman run me to a Gaol laſt Night, and would not give me Time to ſend for any.

Q. Where do you live?

Priſoner. In *Cowcroſs*. Guilty.

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247. **Hannah Hurſt** was indicted for ſtealing one Cloth Coat, Value 3 l. a Scarlet Duffil Joſeph, two Pair of Breeches, a Lawn Apron, two Linnen Handkerchiefs, two Pair of Linnen Sleeves, the Goods of Mr. *Pollen* in *Great Ruſſel-Street*, the 10th of *June*.

Q. (*to Mrs. Elizabeth Pollen.*) What have you to ſay againſt the Priſoner at the Bar?

Pollen. The Priſoner liv'd with us about ſeven Weeks as a Servant; ſhe was Houſe-Maid.

Q. When was it ſhe came to you?

Pollen. The 23d of *April*.

Q. Madam, did you loſe any thing?

Pollen. I loſt many Things; a black Coat of my Huſband's, a Joſeph ſcarlet Duffil which was mine, a Linnen Apron, two Handkerchiefs, two Holland Shifts, ſix Pair of Cotton Stockings, two Pair of Shift Sleeves.

Q. You loſt all theſe Things; do you know who took them?

Pollen. I tax'd every other Servant; I thought I had great Reaſon to ſuſpect the Cook: About a Months afterwards I diſcharg'd two Servants upon her Account. The Way we firſt miſs'd them was this; Mr. *Pollen* wanted his black Coat; the Perſon that went up to the Preſs for it could not find it, and upon Search, my Joſeph, that was in the ſame Place, was not there; we ſent out to *Monmouth-ſtreet* to the Taylor; he made Enquiry in the ſame Street, and traced the Matter out: When the Perſon that bought the Coat of her ſaw her, he knew her again; ſhe then told me the Perſon ſhe had pawn'd the Joſeph to; we found ſeveral Things in her Box, and this Handkerchief I found upon her Neck, which I am poſitive of.

Q. Is there a Mark upon it?

Pollen. No, my Lord; but 'tis my own Work, and I know it.

Q. (*to the Priſoner.*) Will you aſk your Miſtreſs any Queſtion?

Priſoner. I won't plead 'till I have my Clothes deliver'd.

Pollen. The Priſoner gave me an Order to deliver them to her Siſter at Juſtice *Smith*'s, but Mr. *Smith* did not care to take them.

Court. Whether you are guilty or acquitted, you will be intitled to your Clothes again.

Priſoner. There were two Pair of Holland Sleeves that ſhe ſaid was her's, and two Pair of Sleeves, they are mine; as to the two colour'd Handkerchiefs, they never were her's.

Q. (*to Joſeph Bradock.*) What do you know of this Affair?

Bradock. I know this to be 'Squire *Pollen*'s Coat and Breeches.

Q. How came you by them?

Bradock. When they ſent to me, they ſaid the Things muſt either be pawn'd or ſold; I recollected about a Fortnight before this there was ſuch a Coat offer'd to me, which I was certain was Mr. *Pollen*'s Coat; my Son had it from Mr. *Harris*'s, at the Wheat-Sheaf; I went to Mr. *Harris* myſelf; he ſaid, I don't take it at all amiſs, if you can find it out; he was for having a Warrant for to take up the Man that ſold him the Coat. I went to the Man, and he ſaid he bought it of thoſe that bought it of the Thief.

Q. Was you preſent when ſhe own'd it?

Bradock. I was preſent before the Juſtice when ſhe own'd it; ſhe ſaid ſhe ſold the Coat for 13 s. and 6 d.

Q. Had you the Coat before Sir *Thomas De Veil?*

Bradock. Yes, Sir.

Q. What did ſhe ſay concerning the Breeches?

Bradock. She told us the Breeches were at Mr. *Grange*'s, at the *Croſs-Keys* in *Holbourn*; that ſhe ſold them with the Joſeph.

Q. What is that Perſon that ſhe ſold them to?

Bradock. He keeps a Sale-Shop.

Q. What did ſhe ſell them for?

Bradock. For 20 s.

Q. (to the Priſoner.) Have you any Witneſſes?

Priſoner. No, my Lord. Guilty.

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248. **Jane Howard** was indicted for ſtealing one Dowlaſs Shift, a Silk Handkerchief, ſix Plate Buttons, the Goods of *Richard Alexander*, the 8th of *May*.

Q. (to Anne Alexander.) Are you a married Woman or a ſingle Woman?

Alexander. A married Woman, my Lord.

Q. What have you to ſay againſt the Priſoner at the Bar?

Alexander. She felonioufly took the Goods out of my Room.

Q. What Goods?

Alexander. A Dowlaſs Shift, a Silk Handkerchief, ſix Plate Buttons.

Q. What are they made of?

Alexander. Of Silver, my Lord.

Q. Whoſe Goods were they all?

Alexander. Richard Alexander's.

Q. Why do you ſay ſhe ſtole them?

Alexander. My Lord, I found the Shift upon her; and here are the other Goods this Woman bought.

Q. Have you got them again?

Alexander. Yes, my Lord.

Q. (to the Priſoner.) Will you aſk this Witneſs any Queſtion?

Priſoner. Pleaſe you, my Lord; ſhe lent me the Shift to lay with her all Night.

Court. She was a married Woman; you was not to lie with her.

Priſoner. Yes, I was.

Q. (to Mary Jones.) Have you any Thing to ſay againſt the Priſoner at the Bar?

Jones. The young Woman, the Priſoner, came to me with a Silk Handkerchief; ſhe brought it in her Hand; ſhe ask'd me to buy it. I keep a Cook's Shop and a Publick Houſe.

Q. (to Richard Alexander.) Is that your Handkerchief?

Alexander. Yes, my Lord.

Q. Well, *Jones*, what more?

Jones. I bought another Linnen Handkerchief, all dirty; one I gave Eighteen-pence for, and the other Three-pence.

Court. Now is your Time to make your Defence.

Priſoner. I know nothing of the Buttons.

Court. The Buttons are not brought home to you. Guilty.

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249. **John Lee** was indicted for ſtealing four Iron Chains, the Property of Mrs. *Liney*, the 25th of *June*.

Q. (to Henry Wynne.) What have you to ſay againſt the Priſoner?

Wynne. No further than taking my Oath concerning the Chains.

Q. Who took the Chains?

Wynne. The Lad took them; they were ſtole out of Mr. *Charles*'s Premiſſes.

Q. What Chains were they?

Wynne. His Cart Chains.

Q. When were they loſt?

Wynne. Laſt *Tueſday* ſe'nnight, from *Thomas Charles*'s Farm, where we left the Cart and Harneſs.

Q. Nothing but the Chains were taken away, were they?

Wynne. No, I don't know of any thing but the Chains.

Q. What Reaſon have you to think the Boy took them?

Wynne. He confeſs'd it before Sir *Thomas De Veil.*

Q. Where did he ſay he diſpos'd of them?

Wynne. At one *Joſeph Marſh*'s, in *Tyburn-Road.*

Q. Was there any Thing taken down in Writing?

Wynne. Yes, Sir.

Q. (to the Priſoner.) Have you any Parents?

Priſoner. I have a Father that lives in *Oxford Road.*

Q. (to Joſeph Marſh.) What do you know of this Matter?

Marſh.

Marſh. Nothing more than that this Lad brought theſe Chains to me to ſell; I told him they were of no Manner of Value to me but for old Iron.

Q. What did he ſay?

Marſh. He ſaid, will you buy theſe Chains; I was indifferent about it; they were worth no more to me than old Iron. He ſtood for a Penny a Pound; I ſaid they were worth that and more to thoſe that want them.

Q. Are you a Blackſmith?

Marſh. Yes, Sir.

Q. When was it that you bought them, and how many Chains are there?

Marſh. Four Chains.

Q. Pray, where do you live, Friend?

Marſh. In *Oxford Road.*

Q. Pray, Did you know that Boy?

Marſh. No, Sir; I have ſeen him before; I believe he don't live far from me.

Q. Upon what Occaſion have you ſeen him before?

Marſh. I had bought Part of a Grate of him which I was aſſur'd was his Father's.

Q. Did you examine him about theſe Things too?

Marſh. I did ask him a Queſtion or two, but not very ſtrict.

Court. I believe not. A mighty little Boy to deal in old Iron! 'Tis pretty odd for you to give three Farthings a Pound for theſe Chains for old Iron; in my Opinion you are more guilty than the Boy. The Jury deſires to know what you would have a Pound for a Chain.

Marſh. I don't make any ſuch.

Court. 'Tis ſuch as you that incourage ſuch little Thefts, in the Receiving of Stolen Goods. Acquitted.

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250. **James Searle** was indicted for ſtealing one Looking-Glaſs, Value 20 s. the Goods of *Thomas Turner.*

Q. (to Richard Jenkins.) What is it you know of this Matter?

Jenkins. I ſaw him taking the Glaſs out of the Shop.

Q. How was it framed?

Jenkins. In a Walnut-Tree Frame.

Q. What Size might it be of?

Jenkins. I can't tell the Size.

Q. Did he take it away?

Jenkins. Yes.

Q. Was you in the Shop?

Jenkins. I was in the Back Warehouſe; we had there three Glaſſes ſtanding; I turn'd myſelf about and ſaw a Man taking the Glaſs out of the Window.

Q. Did you follow him?

Jenkins. Yes, my Lord; but he dropt the Glaſs down.

Court. I ſuppoſe it broke.

Jenkins. Yes, my Lord.

Court. It was not worth the taking up, only the Frame; I ſuppoſe it broke.

Jenkins. Yes, my Lord.

Q. Is there any other Witneſſes? Is not *Thomas Turner* here?

Jenkins. No, my Lord; he was not at home when it was done.

Q. How near was it to your Maſter's Shop that you took him?

Jenkins. About 200 Yards.

Q. (to the Priſoner.) Would you aſk any Queſtions of theſe Witneſſes?

Priſoner. Pleaſe to aſk the Proſecutor whether I was not much in Liquor. Guilty 10 d.

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251. **Edward Davis** was indicted for ſtealing a Quilted Petticoat, Value 5 s. a Pair of Cloth Breeches, in the Left Side-Pocket 21 s. and 3 lb. of Candles Value 18 d. the Goods of *Thomas Camden*, the 28th of *May.*

Q. (to Camden) What have you to ſay againſt the Priſoner at the Bar?

Camden. I was the Perſon that was robb'd the 28th Day of *May* laſt.

Q. What did you loſe?

Camden. A Pair of Silver Shoe-Buckles, a Quilted Petticoat, two Holland Aprons, 3 lb. of Candles and a Pair of Cloth Breeches with upwards of 20 s. in my Pocket.

Q. When did you loſe them?

Camden. It was about a Quarter of an Hour after I was in my firſt Sleep that the Priſoner came into my Room; they made off with nothing but my Buckles; all was dropp'd upon the Stairs out of my Room.

Q. What have you to ſay againſt the Priſoner at the Bar?

Camden. My Spouſe ſaw the Priſoner by her Bed-Side.

Q. When was he taken?

Camden. He was taken that Night in another Robbery that he committed. I did not ſee him 'till I ſaw him at Sir *Thomas De Veil's.* He ſaid he had deliver'd

deliver'd the Buckles to his Father at *St. Clement's* Round-House.

Q. (to Judith Camden) What have you to say againſt the Priſoner at the Bar?

Judith Camden. On the 28th of *May* as my Huſband and I were in Bed, this Boy (the Priſoner) brought a lighted Candle into the room; we left the Key on the outſide of the Door and he came into the Room: I was frighted at the Light and thought the room was on Fire: I did not ſee him, for he was upon his Knees on the Right Hand Side of the Bed: He ſaw I was ſtartled and flew away; directly I aſked who was there, and the Dog follow'd him and made him leave the Things.

Q. Was you before Sir *Thomas De Veil?*

Judith Camden. Yes, Sir.

Q. Did he mention that he had taken your Huſband's Buckles?

Judith Camden. Yes, and that he had given them to his Father to pawn for him, and that he had pawn'd them in *Bride-Lane* in *Fleet-Street.*

Q. (to ——— Jarvice) What are you?

Jarvice. I am Watchman at the End of *Flower-de-luce-Court* in *Fleet-Street.* A Quarter of an Hour after Eleven, this *Davis* and a little Boy along with him, one *Saunders*, wanted a little Bit of Candle, I told them if they wanted Candle there was a Tallow-Chandler's hard by; ſome Time after this, I ſaw this Boy, the Priſoner, run as hard as he could; he was hardly gone but Mr. *Camden* came down and ſaid he was robb'd, and aſk'd me whether I ſaw any Body; but he was gone off; and I am ſure that is the Boy that ran away.

Q. (to John Cropton) What have you to ſay to *Edward Davis?*

Cropton. Theſe Buckles were brought to my Maſter's to pawn for a young Man; my Maſter aſk'd if they were the young Man's own, he ſaid they were. I was preſent when *Edward Davis* came to pawn theſe Buckles to my Maſter. Guilty.

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252. **Catherine Bourke** was indicted for ſtealing a Braſs Box Value 2 d. and two Pieces of Gold Coin call'd Guineas, *&c.* the Property of *Catherine Gwyn*, the 26th of *May.*

Q. (to Gwyn) What do you ſay againſt the Priſoner?

Gwyn. She was one of the Priſoners that robb'd me. She robb'd me of a Braſs Box, two Guineas in Gold and a Shilling in Silver, ſome Lace and a Certificate.

Q. Why do you ſay the Priſoner was one of the Perſons that ſtole them?

Gwyn. She was one of the Women that took the Braſs Box out of my Boſom with the Money in it.

Q. How came ſhe there?

Gwyn. I can't 'tell any further but that ſhe robb'd me of my Money.

Q. Are you a Houſekeeper or a Lodger?

Gwyn. I came but two Months ago from *Ireland*, and lodge in my Brother-in-Law's Houſe.

Q. When was it?

Gwyn. It was either the 26th or 27th of *May.*

Q. What Time of the Day or Night?

Gwyn. It was between One and Two o'Clock in the Afternoon; there was none there but theſe two Women.

Q. When they came in what did they do?

Gwyn. Mary Muffe came into my Room between Four and Five o'Clock in the Morning and wanted to lie down upon the Bed with me.

Q. When did you miſs the Box?

Gwyn. I miſs'd the Box before they ſent me for the Pint of Anniſeed.

Q. (to the Priſoner) Would you have her aſk'd any Queſtions?

Priſoner. My Lord there was three Pints of Anniſeed and a Pint of Gin. She went out for a Pint of Gin; then ſhe ſent for two Pints more and one was ſpilt by the Way. The Creature got herſelf in Liquor and then would have ſwore my Life away.

[The Evidence of *Mary Gwyn* being very confus'd and doubtful, the Priſoner was acquitted.]

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253. **Jane Haines** was indicted for ſtealing a Silver Spoon Value 8 s. the Goods of *James Tyler*, the 16th of *June.*

James Wilſon. I am a Pawnbroker. This is the Spoon that was brought to me in order to be pawn'd; I obſerv'd there was ſomething eras'd out of it, therefore I ſtopp'd it. *Jane Haines* ſent this Spoon by another Perſon, and when ſhe came herſelf I had as much Reaſon to ſuſpect her as the Perſon that brought it me at firſt.

Q. (to Tyler) When did you miſs this Spoon?

Tyler. The 17th of *June.*

[When *Tyler* was cloſely charg'd about the Spoon he would not ſtand to it; but ſaid one Spoon was like another, that the Priſoner us'd to come frequently to his Room, and that he never knew her do any ſuch Thing. It was then aſk'd who ſhould have the Spoon, as *Tyler* would neither ſwear to it nor claim it. So the Priſoner was acquitted and the Spoon given to her.]

254. **Margaret**

254. **Margaret Brady** was indicted for ſtealing a Hat, Value 2 s. a Shoe and Buckle, and a Handkerchief, the Goods of *John Box*, on the 14th of *June*.

Q. (*to John Box.*) What have you to ſay againſt the Priſoner?

Box. On the 14th of *June* I had been hard at Work in the Morning, and in the Afternoon went to drink a Pot of Beer or two: When I went home I call'd my Wife three or four Times; but ſhe being big with Child, and heavy to ſleep, did not hear me, ſo I ſat down on my own Bench at the Door and fell aſleep; I can't ſay how long I ſlept, but during that Time I loſt my Hat, Handkerchief, and the Shoe and Buckle from my Right Foot; but on her endeavouring to take the Buckle from my Left Foot I awak'd and caught her on the other Side of the Way, with my Shoe and Buckle in her Hand. I call'd the Watch directly, who came and carry'd her to the Watch-Houſe, where we had not been above half an Hour before a Watchman that went out to ſeek for my Hat brought it in and put it upon the Shelf; about Two or Three o'Clock in the Morning they lock'd her up in the Watch-Houſe, from whence ſhe eſcap'd and took my Hat with her, and I ſaw no more of that or my Handkerchief.

Q. What did ſhe ſay when you laid hold of her?

Box. She ſaid, I would have you take care what you do.

Q. Did you ever ſee the Priſoner before?

Box. I may have ſeen her, but never had any Converſation with her.

Q. (*to the Priſoner.*) What have you to ſay for yourſelf?

Priſoner. I am not guilty.

Q. Have you any Perſons to call to your Character?

Judith Harebottom. I have known the Priſoner many Years, and know her to be a hard-working Body; ſhe was coming home from work, and was going to Market to buy ſomething for her Money.

Q. What is her Buſineſs?

Harebottom. She ſpins when ſhe is at home in the Winter, and in the Summer ſhe goes to Hay-making and works in Gardens.

Q. (*to Mary Crumpton.*) Do you know the Priſoner at the Bar?

Crumpton. I have known her for above ſeven Years.

Q. What Character does ſhe bear?

Crumpton. I never heard any Harm of her in the whole Courſe of my Life; but believe her to be a poor hard-working Woman.

Martha Robinſon. I am her own ancient Mother.

Q. How has ſhe behav'd?

Robinſon. I praiſe God ſhe never behav'd amiſs. Acquitted.

255, 256. **Mary Cummings** and **Elizabeth Plumm** were indicted for feloniouſly ſtealing Half a Guinea in Gold, the Property of *Joſeph Candy*, on the 11th of *May*.

Q. (*to Joſeph Candy.*) What have you to ſay againſt either of the Priſoners?

Candy. I met the young Woman in the *Minories?*

Q. Which of them?

Candy. Mary Cummings.

Q. When?

Candy. On the 11th of *May*, about Twelve o'Clock at Night: I aſk'd her if ſhe could tell me of any Lodging, and ſhe carry'd me down to a back Place where ſhe liv'd; I aſk'd her if that was the Room, and perceiving the Bed was not down I told her of it; ſhe ſaid I muſt drink before I went to Bed: I aſk'd her if ſhe ſold any thing, and told her at the ſame Time I did not care for drinking: She ſaid they ſold Punch, and I bid her bring me two or three Pennyworth of it; ſo ſhe call'd the old Woman to bring the Punch. I ſaid I was afraid I had got into a bad Houſe and deſir'd to know what I had to pay. The old Woman told me Half a Crown; but thinking that too much, I ſaid I would not pay it, and they ſwore I ſhould not go out of the Houſe 'till I had done ſo, threatning to ſtrip me: The Women laid hold of me, (at which Time I had Half a Guinea and two new Shillings in my Pocket) and a Fellow pretended to call the Watch; but I got out and ſet a Mark upon the Door at the Corner of the Houſe, I cut a Notch in the Timber and three Croſſes on the Door.

Q. Do you know who took the Money out of your Pocket?

Candy. The young Woman had hold of me, but the old Woman took the Money out of my Pocket.

Q. (*to the Priſoner Mary Cummings*) Would you aſk him any Queſtions?

Cummings. My Lord I know nothing of the Man; I have been ſeven Weeks in Gaol; he has ſworn falſly againſt me. Both Acquitted.

257. **John Mills**, not having the Fear of God before his Eyes, nor regarding the Laws and Statutes of this Realm, nor the Pains and Penalties therein contain'd, was indicted for ſhooting at *Thomas Lewis*, on the 22d of *October*, in the Year 1743, with a certain Gun loaded with Gunpowder, with an Intent to kill and murder.

Council. May it pleaſe your Lordſhip, and you Gentlemen of the Jury, I am Council againſt the unfortunate Priſoner at the Bar; the Indictment is grounded on an Act of Parliament wherein there are ſeveral Clauſes; for Inſtance, if any Perſon ſhall unlawfully cut down or deſtroy Trees, ſet fire to any Barn, Houſe, *&c.* or ſhall willfully ſhoot at any Perſon, in any dwelling Houſe or other Place, he ſhall be guilty of Felony: The Clauſe we go upon is for willfully ſhooting at a Perſon. It may be neceſſary to ſhew for what Reaſon the Priſoner went to the Houſe of Mr. *Lewis*, the Proſecutor, who is a Wheelwright, and lives in *Eaſt-Smithfield*: The Defendant, *Mills*, has been deem'd a notorious Cheat; he made it his Buſineſs to go to Mr. *Lewis* under artful Pretences, and is now confin'd for ſuch an Offence, upon a like Account he lately ſtood in the Pillory. *Mills* knowing a Friend of Mr. *Lewis*'s, with whom he had ſome Dealings, went to his Houſe, and ſeeing a large Parcel of Wood, ſays, ſome of this Wood grew in my Ground, I have a great Quantity coming to Town. *Mills* aſk'd *Lewis* whether he was acquainted with Mr. *Higgs*, he ſaid yes, and that he had had ſome Dealings with him; ſays he, I have more Timber coming up, and talk'd likewiſe of Sheep and Lambs coming up to *Smithfield* Market, though none were brought. This was to give him a Colour for Credit, and upon this he deſir'd Mr. *Lewis* to go with him to one Mr. *Jewel*, and told him he ſhould be much oblig'd to him to give a Note of Hand for 12 l. 12 s. 3 d. he expected to have receiv'd this Money the *Friday* following; but there were no ſuch Perſons as *Mills* or *Nichols* to be found: So, Gentlemen, upon this they made Enquiry, and after ſome time thought fit to go to this Place, *Baſſildon* in *Berkſhire*; they went firſt to Mr. *Higgs*, where they got a particular Information of *Mills*; however he had Intelligence that *Lewis* was coming to his Houſe. This is mention'd to ſhew that he willfully ſhot, and that he knew the Perſon, by Expreſſions or Words to this Effect: By G—d, *Lewis*, I'll ſhoot you; and he had no ſooner ſpoke thoſe Words than he fir'd a Muſket at him; but the Proſecutor hearing him ſay he would ſhoot him, fell down, ſo I ſuppoſe he miſs'd his Aim: On finding the Man get up again, and endeavouring to run away, to ſhew his Malice, he ſaid, G—d d—n him he is not dead, bring the Blunderbuſs that I may blow his Brains out; but it happily fell out that he eſcap'd. It may ſeem extraordinary that this Thing ſhould lie dormant ſo long; but *Mills* was backward and forward, and could not be apprehended ſooner, ſo that the Proſecution could not be brought on before.

Q. (to Thomas Lewis.) When was this?

Lewis. The 9th of *October*, in 1743, the Priſoner came into our Yard, and ſaid theſe are brave Felleys, I have a great Quantity of them. Mr. *Nicholls* was very handſomly dreſs'd, had a Silver Pair of Spurs, *&c.* Says *Mills*, Maſter *Lewis*, do you know Mr. *Higgs*, I was recommended by him to you? They alſo wanted Lodgings, and I ſhould have been glad to have lain out of my own Bed for them (with a View of buying a good Bargain;) but my Wife was not willing; ſo I got them a Lodging elſewhere. Pleaſe you, my Lord, *Mills* and *Nicholls* had ſome Money of me; after this I went down to ſee if the Barges were come up; and when I came to ſpeak to Mr. *Higgs*, I aſk'd him how he could defraud me in the Manner he had done, and began to tell him the Story? He ſwore about *Mills*, and ſaid, What has he been dealing in *London* again? When we went down to *Baſſildon* he went with us to this *Mills*'s Houſe, which is near a Common; when I got to the Door *Mills* ſaw me, and ſaid d——n you I'll ſhoot you, and levell'd a Piece at me.

Q. What Diſtance was you from him when he ſaid he would ſhoot you?

Lewis. It might be about twenty Yards.

Q. What did he ſay after that?

Lewis. He call'd for the Blunderbuſs, and ſaid he would blow my Brains out.

Q. Do you think it was loaded with any thing?

Lewis. I can't ſay whether it was loaded with Ball or Shot, it whiſtled by me.

Q. Did you apply to any Juſtice of Peace againſt this Man?

Lewis. Yes.

Q. What Juſtice did you apply to?

Lewis. I can't tell the Juſtice's Name.

Q. Where does he live?

Lewis. At *Straitly*. I ſhew'd him the forged Note.

Q. Did he take your Information? Did you complain of his Shooting? Did you deſire the Juſtice to grant you a Warrant againſt the Priſoner?

Lewis. The Juſtice did not care to do any Thing with him, he is ſuch a bad Man.

Q. Did

Q. Did you make Complaints to the Juſtice of this Matter, and deſire a Warrant?

Lewis. I ſhew'd him how he trick'd me. He he ſaid they were very vile Fellows, and that they were not ſafe in lying in their Beds.

Q. Did you requeſt a Warrant from the Juſtice, and deſire him to take your Information?

Lewis. I went to the Juſtice at *Straitly* for Advice.

Court. That was for the Cheat, and not for ſhooting at you; did you tell him in what Manner you had been ſhot at?

Lewis. Yes, my Lord.

Q. How came you to exhibit this Indictment againſt him now?

Lewis. My Lord, for ſhooting at me, when I went down to endeavour to get my Money.

Q. Did you ever endeavour to find him out?

Lewis. Yes. But I never could find him before.

Q. Did you endeavour to take him up for the Cheat, or ſhooting?

Lewis. For the Shooting, pleaſe you my Lord. And when we came away he ſaid, Ah ye *London* Fools, &c..

Q. (*to Thomas Brigs*) Did you go down to *Baſſildon with* Mr. *Lewis?*

Briggs. Yes.

Q. What Time in the Evening was it that you went to the Defendant's Houſe?

Briggs. We were at *Baſſildon* about Four o'Clock in the Afternoon; we ſent for *William Higgs*, the Timber-Merchant, who was at work with his Men, and came from them between Five and Six o'Clock. We went up *Baſſildon-Heath* to *Mills*'s Houſe.

Q. When you went there, tell us what you ſaw *Mills* do to Mr. *Lewis?*

Briggs. When we went to his Houſe he ſtripp'd himſelf into his Shirt, and took a Piece, a Gun, or Muſket, and he ſwore by G—d, Mr. *Lewis*, if you don't go away I'll ſhoot you; he levell'd at Mr. *Lewis*; as ſoon as I ſaw it I run behind the Barn, or Straw-Cock, or ſomething.

Q. What did he ſay?

Briggs. He ſwore he would ſhoot, and fir'd off the Piece immediately.

Q. How near was you to Mr. *Lewis?*

Briggs. As near as I am now. As ſoon as I ſaw the Piece I ran behind the Hovel, or Stable. On *Monday* Morning when we came to ſet out, they ſaid we were in Danger in going Home; and we got a Perſon or two to go with us for fear of meeting with him upon the Road.

Q. What Time do you take it to be that you was at *Mills*'s Houſe?

Briggs. It was about Seven o'Clock. As fine a Moon-ſhine Evening as ever I ſaw.

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtions?

Priſoner. Mr. *Lewis* ſtood with a Penknife drawn, and ſwore he would ſtabb me.

Q. (*to Lewis*) Had you at that Time a Penknife in your Hand; did you threaten to do any Thing?

Lewis. No, my Lord.

Q. If you could have got your Money would you have proſecuted the Priſoner?

Lewis. Yes, my Lord.

Q. (*to George Riſhton*) Pray how long is it ſince you had any Dealings with the Priſoner at the Bar?

Riſhton. *Nichols* and *Mills* came to me three Years ago.

Q. Have you endeavour'd to find him?

Riſhton. I went down to *Reading-Jail* and found *Nicholls.*

Q. Did you ſend to enquire after *Mills?*

Riſhton. Yes. I ſent one out of *Berkſhire* to enquire after him.

[*William Nicholls*, who is now a Priſoner in *Newgate*, was call'd upon as a Witneſs for his Acquaintance, *Mills.*]

Q. (*to Nicholls*) What have you to ſay in the Behalf of *John Mills*; was you with *Mills* when *Lewis* came there?

Nicholls. I know Mr. *Lewis* very well. I was not in the Houſe when *Lewis* came there.

Q. Then you know nothing of the ſhooting off the Gun.

Nicholls. Nothing, but what I heard Mr. *Mills*'s Man ſay; one *William Higgs*, the Carpenter, came up with them, and my little Boy was there.

[As the Proſecution was ſo long after the Fact was committed, the Priſoner was acquitted of the Indictment.]

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258. **Mary Hewitt** was indicted for ſtealing 21 s. in Money, and 140 Gold Beads, Value 30 s. alſo a Pair of Silver Buckles and a Pair of Silver Buttons; the Property of *George Corbut*, the 25th of *March.*

Q. (*to Anne Corbut*) What do you know in relation to *Mary Hewitt?*

Corbut. I know ſhe robb'd me of 21 s. in Money.

Q. Give

Q. Give an Account how you came to know it, and when it was.

Corbut. The 25th of *March.*

Q. Was ſhe a Servant in your Houſe?

Corbut. No, it was in her own Houſe. She and I came up from a Ship together; and ſhe perſuaded me to lie with her that Night.

Q. How do you know ſhe took the One and twenty Shillings away?

Corbut. Becauſe I had this Money in a green Purſe in my Pocket, that laid by the Bedſide.

Q. When did you miſs it?

Corbut. In the Morning, when I got up, I miſs'd my Money out of my Pocket, my Necklace, and a Pair of Silver Buttons.

Q. What was your Necklace made of?

Corbut. Gold Beads, two Rows.

Q. Where were they at the Time you lay with her?

Q. In my Pocket, along with the Buckles and Buttons.

Corbut. Did your Pocket lay at the Bedſide as you left it? Did any body elſe lay in the Room?

Corbut. She laid with me, and no body elſe laid in the Houſe.

Q. How do you know that? you was not awake in the Night.

Corbut. She lock'd up the Houſe and the Room too.

Q. Was ſhe up before you?

Corbut. Yes. I had 39 s. when I went to bed, and ſhe left me but 18 s.

Q. Do you know how long ſhe had been gone out of the Room before you?

Corbut. No; I did not hear her riſe.

Q. Have you been acquainted with her long?

Corbut. No; I never knew her before I came up with her from the Ship.

Q. Where did that Ship lie?

Corbut. Between the *Hope* and the *Nore.*

Q. Well, did you tax her about this?

Corbut. Yes, I did; but ſhe denied it.

Q. (*to the Priſoner*) Would you aſk any Queſtions of this Witneſs?

Priſoner. Pleaſe your Lordſhip, ſhe was up two Hours before me. She gave me theſe Buckles to go to ſell; there was a little Girl in the Houſe at the ſame Time. She alſo ſent me with the Gold Necklace to pawn for 18 s.

Corbut. I gave her neither of them.

Q. Have you ever ſeen this Gold Necklace, or Silver Buckles, ſince you loſt them?

Corbut. Here's a Gentleman has the Necklace in Cuſtody.

Q. (*to Anne Nicholls*) What have you to ſay?

Nicholls. Pleaſe you, my Lord, I ſaw the Buckles in *Mary Hewitt*'s Hand.

Q. What Buckles?

Nicholls. Shoebuckles.

Q. How do you know they were *Anne Corbut*'s?

Nicholls. She told me that *Anne Corbut* had given them to her to ſell.

Q. Where was it that you ſaw theſe Buckles?

Nicholls. At *Mary Hewitt*'s Houſe.

Q. Do you know how long it was that *Anne Corbut* had lain there?

Nicholls. I believe ſhe had lain there two Nights.

Q. How long after was it that *Hewitt* ſhew'd you theſe Buckles?

Nicholls. She hir'd me as a Servant in the Morning.

Q. What Day in the Week?

Nicholls. I believe it was on *Thurſday*, but I can't tell.

Q. Was *Anne Corbut* in the Houſe at the Time *Hewitt* hir'd you? Who told you *Anne Corbut* lay there that Night?

Nicholls. Sir, I ſaw her in bed.

Q. Do you know any thing farther?

Nicholls. *Mary Hewitt*'s Mother had the Necklace in her Hand.

Q. When was that?

Nicholls. It was the Morning after.

Q. *Anne Corbut* was gone then, was ſhe not?

Nicholls. No, my Lord, ſhe was not gone, that was the Day her Mother fetch'd her away.

Q. Do you know any thing farther?

Nicholls. *Mary Hewitt* bid me ſay, if any body aſk'd, that the Woman gave her the Buckles to pawn.

Q. (*to the Priſoner*) Will you aſk any Queſtions of this *Anne Nicholls?*

Priſoner. My Lord, the Girl was in the Houſe at the ſame Time, and ſaw *Anne Corbut* give me the Buckles.

Q. (*to Nicholls*) Was it the firſt Morning after *Anne Corbut* lay there that you ſaw the Buckles, or the ſecond Morning? Did you hear *Anne Corbut* make any Enquiry about the Gold Necklace, or Buckles; or was you there when *Anne Corbut* went away?

Nicholls. No, my Lord, ſhe went away at Night.

Court. You ſay *Anne Corbut* was a-bed when you ſaw the Buckles in the Priſoner's Poſſeſſion; and the

the Prisoner told you, that if any body should ask about the Buckles, you should say *Anne Corbut* gave them to pawn.

Q. Did you see *Anne Corbut* after she got up?

Nicholls. Yes, I saw her drinking Tea with *Mary Hewitt*.

Q. Well, was you present in the Room assisting in Tea-drinking Time? Was there any Conversation between them? How long might they be together when you was by?

Nicholls. I was by about an Hour, in the Company of them both.

Court. And nothing past in relation to the Necklace, Money, or Buckles. You say you was there about an Hour.

Q. Well, where did they dine?

Nicholls. There was a Gentlewoman over the Way, they dined there.

Q. Who is that Gentlewoman?

Nicholls. The Gentlewoman's Name is *Armstrong*.

Q. Well, did they come to the House after Dinner?

Nicholls. Yes, Sir, they came to the House.

Q. Was you at home then?

Nicholls. Yes; then *Anne Corbet* had lain down upon the Bed, and *Mary Hewitt* went up by herself.

Q. You said before *Anne Corbut* laid down upon the Bed; Were they any Time together? Did you hear *Anne Corbut* say that she had lost any thing?

Nicholls. No, Sir.

Q. What Time did *Anne Corbut* go away? Did your Mistress come home before you went out? Did she go into the Room where *Anne Corbut* lay?

Nicholls. She came down while my Mistress, *Anne Hewitt*, was gone out.

Q. Were they together?

Nicholls. Yes.

Q. How long?

Nicholls. About Half an Hour.

Q. During that Time was you present?

Nicholls. Yes.

Q. Did you hear of *Anne Corbut*'s complaining of the Loss of any thing?

Nicholls. No.

Q. What Time might it be when you went out?

Nicholls. Sir, I believe it might be about Five or Six o'Clock.

Court. Then you left them together about Five or Six o'Clock.

Q. (to Anne Corbut) Was this Loss you mention of 21 s. the first or second Night?

Corbut. It was the first Night; but I did not speak of it 'till the second, 'till my Mother was sent for; then she own'd them, and said she would bring the Things to my Mother on *Easter-Monday*.

Q. What is your Mother's Name.

Corbut. Elizabeth.

Q. (to Isaac Pinor) What is it you know of this Affair?

Pinor. The Prisoner's Mother brought this Necklace to pawn along with this Girl.

Q. What did she pawn it for?

Pinor. Eighteen Shillings.

Q. Did she tell you whose Necklace it was?

Pinor. That it came from her Daughter's.

Court. She did not tell you in particular.

Pinor. No; but only she sent this Girl with her, that she should not cheat her.

Q. (to Peter Nettle, Headborough) What is it that you know of this Matter?

Nettle. I had a Search Warrant, and I went to Mr. *Pinor*'s, and desir'd, if he had any Gold Necklace he should produce it; which he did, and declar'd that the Prisoner's Mother pawn'd it there.

Q. (to Elizabeth Service) Was you present at any Time when your Daughter and *Mary Hewitt*, the Prisoner, were together?

Service. No, but when I was sent for by my Daughter's Acquaintance.

Q. I ask you, Whether you came to *Mary Hewitt*'s House, and when?

Service. I never was, but when I was sent for by my Child: It was a young Man that lives at a Baker's Shop that came for me.

Q. Where was you to come to her?

Service. To *Mary Hewitt*'s.

Q. What Day of the Week was it?

Service. To the best of my Memory it was the 27th Day of *March*.

Q. Well, what Time did you come there?

Service. About Ten or Eleven o'Clock in the Morning.

Q. Was your Daughter come from *Mary Hewitt*'s?

Service. No, she did not dare to come before, because she was a very passionate Woman.

Q. When you came, what past between you and *Mary Hewitt*?

Service. Please you, my Lord, she promis'd to bring me this Necklace and the Buckles again on *Monday*.

Q. At that Time did she tell you how she had dispos'd of these Things?

Service. She d——d her Eyes, and said, if I made any Disturbance or Confusion there, she would

send me to *Newgate*: She said, Your Daughter is a married Woman, if she had a Mind to live there she should.

Q. Did she say your Daughter had a Mind to live there?

Service. No; for my Daughter was frighten'd out of her Wits.

Q. Was your Daughter present when she made Use of that Expression?

Service. I believe she was not in the same Room.

Q. Did your Daughter say any thing that she had or had not a Mind to live with *Mary Hewitt?*

Service. Instead of that she shew'd a great Unwillingness, and flung her Arms about my Neck, and cry'd as one out of her Wits.

Q. (to the Prisoner) Will you ask her any Questions?

Prisoner. She knows very well that her Daughter pawn'd the Necklace to buy a printed Linnen Gown of me, and a white Petticoat.

Q. (to Anne Corbut) Had you a Linnen Gown of *Mary Hewitt*, and did you pay her for it?

Corbut. I paid her 9 s. in Money, as my Gown was so dirty that I was asham'd to go home with it.

Q. (to the Prisoner) Do you call any Witnesses?

Prisoner. My Lord, she spent the 21 s. that she said I robb'd her of.

Q. (to Nicholls's little Girl) Was you there at the Time that *Elizabeth Service* came to your Mistress's House?

Nicholls. Yes, Sir, when the Gentlewoman came for her.

Q. Was that the Morning of the second Day?

Nicholls. Sir, it was about Ten or Eleven o'Clock the second Day.

Q. Was you present when the Prisoner at the Bar and she was together? Tell what past between them.

Nicholls. I can't say; I went up and down Stairs to do what there was to do.

Court. Anne Corbut, after you was robb'd of 21 s. a Pair of Buckles, and a Gold Necklace, how could you go out with this Person, drink Tea with her, and stay with her another Night?

Corbut. My Lord, I was afraid of my Mother being angry with me.

Court. But you need not to have been afraid of others; you might have went to another Lodging, and not lain at the Place where you was robb'd.

Q. Where is this Place?

Corbut. 'Tis near the *Bell and Duck* in *Wapping*.

Q. Where does your Mother live?

Corbut. In *Brook-Street*, near *Ratcliff-Cross*.

Q. (to the Prisoner) You hear what all these People have sworn; What have you to say for yourself?

Prisoner. Please you, my Lord, she bought the Gown and Petticoat of me: She says she gave me 9 s. for it, but she gave me a Guinea for the Gown and Petticoat.

Corbut. I gave her 9 s. for the Gown, and Half a Crown for the Petticoat.

Q. When you went away from the House, how much Money had you in your Pocket?

Corbut. I had 10 s. Now I recollect, I had about 8 s. and some Halfpence. I had 2 s. from my Mother.

Court. So then you had 8 s. and some Halfpence, with the 2 s. your Mother lent you.

Q. What was the Occasion of your borrowing 2 s. of your Mother?

Corbut. She brought me in 7 s. in debt. Acquitted.

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259. **Alice Butler** was indicted for stealing three Pewter Plates, the Property of *Cecilia Backhouse*.

Q. to Cecilia Backhouse) What have you to say to the Prisoner?

Backhouse. She stole the Plates.

Q. How do you know she stole them?

Backhouse. Because she pawn'd them.

Q. Why do you say she pawn'd them?

Backhouse. The Pawnbroker will justify it.

Q. What is the Pawnbroker's Name.

Backhouse. His Name is *Young*.

Q. Did the Prisoner at the Bar live with you?

Backhouse. She was a Charewoman.

Q. (to the Prisoner) She says she lost three Plates, and that you stole them.

Prisoner. My Mistress gave me Victuals home with them.

Q. (to Mrs. Backhouse) Did you give her Victuals in the Plates?

Backhouse. No, my Lord.

Q. How did you give her Victuals?

Backhouse. In a Dish, or her Apron.

Q. (to Richard Young) What have you to say to these Plates?

Young. Mrs. *Butler* brought me these three Plates upon the 25th of *March*.

Q. Did you know the Prisoner before?

Young. Yes, Sir, I know her as well as I know myself.

Q. What did she pawn them for?

Young.

Young. For a Shilling.

Q. Did you aſk whoſe Plates they were?

Young. No, my Lord, I knew her to be an honeſt Woman; I never heard a bad Character of her in my Life.

Q. What have you done with the Plates?

Young. When I heard Mrs. *Backhouſe* was purſuing of her for a Silver Spoon, I look'd upon the Plates, and they have Mrs. *Backhouſe*'s Name, in *Furnival*'s *Inn*, upon them.

Q. If that was wrote upon the Plates, you ſhould have looked upon them.

Young. Yes, my Lord, I ſhould.

Court. I think 'tis a very odd Thing you ſhould take ſuch Things without looking upon the Name. Would you give Money upon them without opening?

Young. Yes, Sir.

Court. Suppoſe they had been Pantiles, or any Thing?

Q. Did ſhe leave the Cloth too.

Young. Yes, Sir.

Q. Did you never open them?

Young. I never open'd them.

Court. 'Tis a very uncautious Way of acting; this is to encourage ſuch Things.

Q. When did you carry them home?

Young. I believe it was the 19th of *June*, the Conſtable has them.

Q. (*to the Priſoner*) Will you have him ask'd any Queſtions?

Priſoner. No, pleaſe you, my Lord.

Q. (*to John Mitchel.*) What are you?

Mitchel. I am Butler of the Society at the Inn.

Q. Are theſe the Plates that belong to them?

Mitchel. I know they are. Mrs. *Backhouſe* gives Security for the Plates that are in her Cuſtody.

Court. Then ſhe is liable to make them good.

Mitchel. Yes, Sir.

Q. Have you nothing to ſay of the Fact?

Mitchel. No; I found them at Mr. *Young*'s on *Saffron-hill.*

Q. (*to the Priſoner.*) Would you have this Witneſs aſk'd any Queſtion?

Priſoner. No, my Lord.

Q. What have you to ſay in your Defence?

Priſoner. Pleaſe you, my Lord, one Day my Miſtreſs gave me two Plates with Victuals, and one Plate at another Time, and my Huſband fell down with a Dozen of Candles, and he receiv'd a Hurt, and I pawn'd them out of real Neceſſity.

Q. (*to Mrs. Backhouſe.*) How long has ſhe work'd for you?

Backhouſe. Between two and three Years; I have loſt ſeveral odd Things, but could not tell who to charge with them; a Pewter Diſh, *&c.*

Q. How did ſhe behave during your Service?

Backhouſe. I did not know but ſhe was very honeſt, but I loſt ſeveral Things. Guilty 10 d.

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260. **Mary Smith** was indicted for ſtealing a Gooſe, Value 1 s. 6 d. and a Duck, Value 6 d. the Property of *William Shirley*, the 12th of *June* laſt.

Q. (*to Elizabeth Shirley.*) What have you to ſay againſt the Priſoner?

Shirley. She was the Perſon that took the Gooſe and the Duck.

Q. Why do you ſay that ſhe took them?

Shirley. I took them upon her.

Q. When?

Shirley. That very Day, the 12th of *June.*

Q. How long after the Fact was committed?

Shirley. I caught them upon her, and ſhe threw them into a Neighbour's Houſe.

Q. Did you miſs them immediately? Where was ſhe when you ſaw her with them.

Q. What Time was it?

Shirley. Four o'Clock in the Afternoon.

Q. Did you ſtop her, and take them from her?

Shirley. I took them from her; ſhe threw them into a Neighbour's Houſe.

Q. How do you know ſhe threw them into a Neighbour's Houſe?

Shirley. I ſaw her.

Q. Are you ſure they belong to your Huſband?

Shirley. Yes, Sir.

Q. What is your Huſband's Name?

Shirley. William Shirley.

Q. Where do you live?

Shirley. In *Angel-Court, Weſtminſter.*

Q. (*to William Haines.*) What have you to ſay againſt the Priſoner?

Haines. I have no more than that I ſaw her throw the Gooſe and Duck into the Shop.

Q. (*to the Priſoner.*) Will you ask him any Queſtion?

Priſoner. No, my Lord.

Q. Have you any Witneſſes to your Character, or to give any Account of you?

Priſoner. No, my Lord. Acquitted.

261. **Alice**

261. **Alice Donnerton** was indicted, for that she, with a certain Cane, which she had in her Right Hand, did wilfully strike and beat *Mary Young*, giving her on her Head, Shoulders, and other Parts of her Body, divers mortal Bruises and Wounds, of which mortal Wounds the said *Mary* did languish from the 1st to the 29th of *June*, and then died.

Q. *(to Mary Dowland)* What do you know of this Fact?

Dowland. I lodg'd in the Prisoner's House, up one Pair of Stairs, and I heard her beat the Child several Times, but never saw her beat her but once. I heard the Child cry, and heard the Blows, Sir.

Q. Where did you lodge?

Dowland. I lodge in the fore Room, up one Pair of Stairs.

Q. Where did you hear her beat the Child?

Dowland. In her back Stairs below.

Court. You say you heard the Child cry several Times, and heard the Blows, but you once saw her beat her.

Dowland. Yes, she gave her three or four Slaps with a Piece of Cord.

Q. When was the first Time, and when was the last Time you heard her beat the Child so, that it cry'd?

Dowland. I heard the Child cry on *Friday* last.

Q. When was the Time you saw her give the Child three or four Slaps with a Piece of Cord?

Dowland. As near as I can guess, about a Month ago.

Q. What was the Child's Name?

Dowland. Elizabeth Young.

Court. Why, in the Indictment 'tis *Mary Young.*

Q. Is she dead since?

Dowland. Yes, she died on *Sunday* Morning.

Q. Is there any Reason to think she died of her Bruises?

Dowland. Yes, there is a great deal of Reason for it.

[There being a Mistake in the Name, the Prisoner was order'd to remain to be tryed on another Indictment.]

---

262. **John Freeman** was indicted for stealing one Pair of Leather Shoes, Value 1 s. one Pair of Everlasting Shoes, Value 3 s. the Property of *Richard Rowland*, the 23d of *June*.

Q. *(to Samuel Tyler)* What do you know of this Affair?

Tyler. My Lord, I keep a Stall; I lock'd it safe on *Saturday* Night, and on *Monday* Morning the 23d of *June*, I was call'd up between Two and Three o'Clock by the Watchman. The Prisoner at the Bar was taken with the Shoes upon him; one Pair was my own Wearing Shoes, and another Pair was my Customers. There were found in his Apron, my own Shoes, one odd Shoe, and a Pair of Shoes that belong to *Richard Rowland*: All these Things were found upon him.

Q. *(to the Prisoner.)* Would you ask this Witness any Question?

Prisoner. No, my Lord.

Q. *(to John Shelmondine.)* What do you know of this Affair?

Shelmondine. My Lord, I was coming by that Way, and saw the Prisoner by Mr. *Tyler*'s Stall.

Q. What are you, a Watchman?

Shelmondine. No, my Lord, I am a Butcher.

Q. Did you know *Tyler*'s Stall?

Shelmondine. Yes, my Lord, he made Shoes for me. This Man (the Prisoner) was going from the Place, and the Door was left open; and away he goes, and I follow'd him; he walk'd pretty brisk; there was a little Alley, and he goes across to the Market, and I lost Sight of him; but I came in Sight of him again: So I was going along by the Dead-Wall by *Lincoln's-Inn*; he thought he was pursued; he said, Good Morning to you; and that he had found some Shoes upon a Bulk: When he was ask'd what he had in his Lap, he let down his Apron and there were five Shoes.

Q. *(to the Prisoner.)* Will you ask him any Question?

Prisoner. Ask him whether he can say I was the Man that broke open the Stall?

Q. *(to the Prisoner.)* What have you to say in your Defence?

Prisoner. I had been drinking at a Publick House in the *Strand* with a Couple of Soldiers of my Acquaintance; when I left them, I was coming by the Stall, and saw one Shoe before me; I gave it a Kick, and threw it upon the Bulk; throwing of it up there, it sounded against some others, and there were two Pair more. Guilty 10 s.

*** The extraordinary Trials in this Session make it absolutely necessary to publish them in two Numbers, the latter of which will be publish'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 2d and THURSDAY the 3d of *July*,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Sixth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VI. PART II.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

(Price Six-pence.)

THE PROCEEDINGS ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

263, 264. **Elizabeth Cunningham** and **Elizabeth Jolly** were indicted for ſtealing a Pair of Sheets and a Braſs Candleſtick, the Property of *John Henderſon*.

Q. (*to Elizabeth Henderſon*) Are you a married Woman?

Henderſon. Yes.

Q. What is your Huſband's Name?

Henderſon. *John Henderſon.*

Q. What have you to ſay againſt the Priſoner?

Henderſon. I let the Lodgings to *Elizabeth Cunningham*, a Room up two Pair of Stairs.

Q. What have you further to ſay?

Henderſon. I miſs'd the Things, a Braſs Candleſtick and a Pair of Sheets. I did not miſs them 'till *Whitſun Monday* in the Morning, tho' I let the Lodgings three Months ago. Mrs. *Cunningham* ſaid ſhe could not afford to pay for the Lodgings, and ſhe deſir'd to take in a young Woman with her. They were pawn'd in *Taſh-Court*; they both own'd they were pawn'd there in both their Names.

Q. What have you to ſay about your Pewter Plate?

Henderſon. I know nothing but of the Sheet and Candleſtick.

Q. (*to Robert Nicholls*) What have you to ſay to the two Women, the Priſoners?

Nicholls. Nothing, my Lord, but that both of them pawn'd the Sheets that were claim'd by *Henderſon.*

Q. When did they pawn them?

Nicholls. The 16th of *May.*

Q. How much did you lend upon them?

Nicholls. Three Shillings. They ſaid they were to have them the next Day.

Priſoner. Mr. *Nicholls* had them before, and we fetch'd them again very honeſtly.

Q. The Sheets were not yours, how came you to take them?

Priſoner. With no Deſign of Wrong.

[It appearing to be mere Neceſſity, and that the Priſoners bore a good Character, they were both acquitted.]

266, 267. **John Short** and **George Thomas** were indicted for that they on the 26th of *April*, in a certain Field and open Place near the King's Highway, did make Aſſault upon *John Biles*, putting him in fear and danger of his Life, and did feloniouſly ſteal one Silver Lac'd Hat, one Pair of Silver Knee-Buckles, a Pair of Leather Breeches, a Pair of white Cotton Stockings, two Linnen Handkerchiefs, four Cambrick Stocks, and a Silver Claſp, the Property of the ſaid *John Biles.*

Q. (*to John Biles.*) What have you to ſay againſt the Priſoners?

Biles. Three Men met me between Nine and Ten o'Clock at Night, the 26th of *April* laſt.

Q. Whereabouts?

Biles. In a Field between *Mother Red-Caps* and *Tottenham-Court.*

Q. What paſt between theſe three Perſons and you?

Biles.

Biles. They demanded my Money, and I told them I had none; they clapt three Piſtols to my Head, and ſaid, if I ſpoke another Word they would blow my Brains out.

Q. What did they do?

Biles. Then they took my Silver Buckles out of my Shoes.

Q. Did they throw you down?

Biles. They never ſtruck me, I ſtood all the Time; they took out one of my Knee-Buckles, and the other they made me take out myſelf.

Q. What were theſe Buckles made of?

Biles. Silver.

Q. Did they take any thing elſe?

Biles. Yes, a Silver Lac'd Hat, and a Pair of Leather Breeches.

Q. Was theſe Breeches on?

Biles. They were on my Body, and they made me take them off and give to them.

Q. What elſe?

Biles. Four Cambrick Stocks, a Silver Claſp, a Pair of white Cotton Stockings, two Linnen Handkerchiefs.

Q. When they had taken all theſe Things from you, what did they do?

Biles. They bid me go about my Buſineſs.

Court. Is that all? You ſay there were three Perſons that did this Injury to you; do you know any Thing of them?

Biles. No, I can't ſay I know them, it was a dark Night.

Court. So, this is all you can ſay in relation to this Fact?

Biles. Yes, this is all; who committed it I cannot tell.

Q. Have you had any of your Things?

Biles. No, none of the Things.

Q. When theſe People robb'd you, what Way did they go?

Biles. I went home to my Maſter's towards *London*; I left them in the Place, I did not look back.

Q. Could you judge of the Stature of theſe People?

Biles. It was ſuch a dark and foggy Night, that I can't ſay any thing of the Perſons.

Q. (*to the Priſoners.*) Would you aſk any Queſtions of this *John Biles?*

Priſoner. My Lord, I would deſire to know what Time it was.

Court. He ſays between Nine and Ten o'Clock.

Priſoner. At that preſent Time I was in the Tower, my Lord.

Q. (*to Biles.*) Can you remember what Clothes they had on?

Biles. I can't remember the Clothes, my Lord.

Q. Was it ſo dark that you could not diſcern.

Biles. I think they were darkiſh Clothes, not red, my Lord, to the beſt of my thinking.

Q. (*to Thomas Weſt.*) Do you know any thing wherewith the Priſoners are now charg'd, of the Robbery of *John Biles?* Do you know any Circumſtance you ought to diſcloſe to the Court on this Occaſion?

Weſt. I know nothing, but only that *William Bray* came to deliver himſelf up to me to be an Evidence againſt theſe People.

Q. What are you?

Weſt. I am High Conſtable of the Pariſh of St. *Martin in the Fields.*

Court. He came to deliver himſelf to you; on what Day or Hour was it?

Weſt. It was on a *Monday*, I believe the 25th of *May.*

Q. Had you any Warrant at that Time?

Weſt. My Lord, he had been down to Juſtice *Fraſer*'s firſt.

Q. Did he give an Account of theſe Perſons to you?

Weſt. He did particularly before the Juſtice.

Q. Did not the Juſtice reduce that to Writing?

Weſt. Yes, my Lord.

Court. Then you know nothing in relation to theſe Priſoners but what *Bray* told you?

Weſt. Nothing at all, my Lord; but *Bray* inform'd us of two or three Piſtols in a Lane that goes up to *Primroſe-Hill*, that were put under a Hedge, loaded.

[They were produced in Court, there were three in all, but *Saunders*, an Attorney in the Fleet, has got one of them.]

Q. What are theſe Piſtols?

Weſt. They are Soldiers Muſkets; they have filed the Name out.

Court. You can't tell whoſe Company they belong to, or what Regiment?

Weſt. No.

Q. Did you find them above Ground?

Weſt. They were in a Haverſack in a Handkerchief under the Hedge, in a Buſh, a Piece of green Graſs over them: That Gentleman, Mr. *Terry*, diſcharg'd one of them in the Field.

Court. Then this is all that you know?

Court (*to Biles.*) Look at them, were thoſe the Kind of Inſtruments that were offer'd at your Head?

Biles.

Biles. There were three of them; but I can't ſay theſe were them; they ſeem to be like them; I thought them uncommon Piſtols.

Q. (*to Joſeph Terry.*) What do you know in Relation to this Matter?

Terry. I don't know any other, but that this *Bray* made his Confeſſion before Mr. *Nightingale* and *Stanley*.

Court. He made his Confeſſion before the Juſtice of the Peace, Mr. *Fraſer*, who took it down in Writing.

Terry. Yes, he did all in Writing.

Q. Did he come voluntarily to give that Account, or was he taken up by a Warrant?

Terry. No, he came voluntarily.

Q. Was you preſent at finding theſe Piſtols, or ſhorten'd Guns, or whatſoever they are call'd?

Terry. Yes, my Lord; I let one of them off in the Field.

Q. How came you to go into this Field?

Terry. My Lord, *William Bray* told us where to go to look after theſe Pieces; we took with us one Mr. *Bird* on *Tueſday* Morning to look for theſe Pieces.

Court. You ſay you went to look after them by the Direction of *William Bray?*

Terry. Yes, my Lord.

Q. Did he, before you went, deſcribe to you the Inſtruments you ſhould find there?

Terry. My Lord, we could not find them: I ſaid, this *Bray*, I believe, has told us a Story; let us go to Bridewell and fetch him: We went and got him, and the Governor with him, and he ſhew'd us the Place where they were hid.

Q. (*to John Nightingale.*) What do you know of this Matter?

Nightingale. My Lord, I was preſent when *Bray* ſurrender'd himſelf as an Evidence for the King.

Q. When did he ſurrender himſelf?

Nightingale. On *Monday* the 24th or 25th of *May*, between Eleven and Twelve.

Q. Was you preſent at the Time of the Search?

Nightingale. Yes, my Lord, I took them all up out of the Ditch.

Q. Did *Bray* ſhew you the Place?

Nightingale. Yes, my Lord.

Q. Had he firſt directed any body where to go in Search for them?

Nightingale. Yes, my Lord, Mr. *Weſt* and I.

Q. And was it not in the ſame Field he directed you?

Nightingale. Yes, my Lord.

Court. Then it was in the ſame Field that he directed you to, tho' you could not find them?

Nightingale. Yes, my Lord; pleaſe you, my Lord, he told me of the Haverſack and Handkerchief, and every Thing; he told us they were Pieces made out of Muſkets, before ever we ſaw them.

Q. (*to the Priſoners.*) Would either of you ask theſe Witneſſes any thing; they have depoſed nothing of you perſonally, but only of theſe Piſtols?

Priſoners. No, my Lord.

Q. (*to William Bray.*) Do you know any thing with Relation to this Robbery, of *John Biles*, in the Pariſh of *Pancras*, between *Tottenham-Court* and *Mother Red-Cap's?*

Bray. Yes, pleaſe you, my Lord.

Q. When was it?

Bray. I can't be particular as to the Day of the Month.

Q. What Time of the Day or the Night was it?

Bray. It might be near Ten o'Clock; it was between *Mother Red-Cap's* and *Tottenham-Court*.

Q. Was it in the Road or in the Field?

Bray. It was in the Foot-Path in the Field.

Q. What was done to him?

Bray. Pleaſe you, my Lord, we took off of him a Silver Lac'd Hat, and a Pair of Leather Breeches.

Q. Did you take them off?

Bray. To the beſt of my Knowledge *John Short* might take them off; I can't be particular.

Q. What elſe?

Bray. A Pair of Silver Shoe-Buckles.

Q. Did he take them off himſelf, or did you take the Shoe-Buckles?

Bray. To the beſt of my Knowledge I ſtood with a Piſtol preſented to him, that *Short* and *Thomas* might take them.

Court. Short and *Thomas*; do you mean the Priſoners at the Bar?

Bray. Yes, my Lord.

Court. So they took the Shoe-Buckles out of the Shoes; did they?

Bray. To the beſt of my Knowledge they did.

Q. In what Manner did you accoſt him firſt?

Bray. We three met with him between *Mother Red-Cap's* and *Tottenham-Court*, and demanded his Money; he told us he had none; we ſaid, d——n him, we would ſee: We took from him his Silver Lac'd Hat and a Pair of Silver Shoe-Buckles.

Court. You have told of theſe Things. Do you remember how the Buckles were taken?

Bray. One he might give out himſelf, and the other was taken by one of them.

Q. Did

Q. Did you take any Thing elſe?

Bray. Pleaſe you my Lord we took two Pocket Handkerchiefs and a Pair of white Ribb'd Stockings.

Q. What elſe?

Bray. There might be, to the beſt of my Knowledge, three or four Neck Stocks, and there was a Letter in his Pocket.

Q. Did you take that Letter?

Bray. Yes, pleaſe you my Lord.

Q. Is that Letter any where?

Bray. The Letter was burnt. Pleaſe you my Lord, we alſo took a Cork-ſcrew from him.

Q. But what did you do with him after you had taken theſe Things from him?

Bray. We deſir'd him to go about his Buſineſs.

Q. When he was gone how did you diſpoſe of yourſelves?

Bray. We ſtood a little while to ſee whether or not he might watch us or follow us. Afterwards we went towards *Mother Red-Cap's*.

Q. Did you go with your Piſtols all three

Bray. Yes, my Lord.

Q. What did you do then?

Bray. We come home to *London*.

Q. Did you bring your Piſtols with you?

Bray. Yes, my Lord.

Q. Were they the Piſtols produced in Court?

Bray. Yes, my Lord.

Court. Theſe ſhorten'd Guns are the Inſtruments you had at the Time you met *John Biles*.

Bray. Yes, my Lord.

Q. Did you at any Time afterwards go with them and hide theſe Piſtols?

Bray. Not with either of them.

Q. Who hid theſe Piſtols in the Field?

Bray. *John Jennings* hid the Piſtols in the Field.

Court. So then this is all you know in relation to theſe Priſoners at the Bar as to the Fact of *John Biles*. What did you do with theſe Things after you had taken them from him?

Bray. Pleaſe you my Lord the Silver Laced Hat and the Breeches were ſold to one Mr. ——— in the *Old-Baily*.

Q. Who ſold them?

Bray. Pleaſe you my Lord, theſe two Men and me; in at the Sign of the *George* in the *Old-Baily*: Mr. ——— look'd on the Hat and Breeches there.

Q. How did you diſpoſe of the Kneebuckles?

Bray. To the beſt of my Knowledge they were ſold at a Silverſmith's.

Q. Do you know where that Silverſmith lives?

Bray. I think in *King-Street, Weſtminſter*.

Court. All the Silver Buckles were ſold to that Silverſmith, were they?

Bray. No, my Lord; ſome to one Silverſmith and ſome to another.

Q. What was ſold there?

Bray. The Shoebuckles and Kneebuckles.

Q. Who carried theſe Things to the Silverſmith in *King-Street?* Was you preſent?

Bray. I was within 20 or 30 Yards.

Q. Who then carried them?

Bray. To the beſt of my Knowledge, *George*, the Priſoner.

Q. Were you all three together?

Bray. We were not all together in the Shop.

Q. But did you all go with a Deſign to diſpoſe of theſe Things?

Bray. Yes, my Lord; we were together in *King-Street*.

Q. What did you do with the Linnen? The Stocks and the Handkerchiefs.

Bray. My Lord I can't be ſo particular about them.

Q. When you ſold theſe Things what Money had you for them?

Bray. To the beſt of my Knowledge we had about 12 s. for the Shoebuckles and Kneebucles.

Q. And what might you have from ———?

Bray. Nine or Ten Shillings, to the beſt of my Knowledge, my Lord.

Q. How was that diſtributed?

Bray. Equally, betwixt us three, pleaſe you my Lord.

Q. Can you tell what you receiv'd for your Share?

Bray. I can't be ſo particular; for the Breeches and Hat it might be about 3 s my Lord.

Q. (*to the Priſoner*) Will you aſk any Queſtions of the Witneſs?

Priſoner. Pleaſe you my Lord I know nothing of the Affair. I don't know what to aſk him.

Q. (*to Biles*) When did you give the firſt Account of this Fact to any Body?

Biles. It might be the 25th of *May*; I can't exactly ſay.

Q. (*to Bray*) What Dreſs might you be in when you met *Biles?*

Bray. My Coat was turn'd, my Lord, to be beſt of my Knowledge.

Court. Your Coat was turn'd to the beſt of your Knowledge; People ſpeak to the beſt of their Knowledge when 'tis doubtful; you know the Thing perfectly;

ſectly; upon your Oath was your Coat turn'd? was any Body's Coat turn'd? What Clothes had the others that were with you, the two Priſoners?

Bray. Their two Coats were turn'd, to the beſt of my Knowledge.

Court. Then you don't know whether they were turn'd, or were not?

Bray. Pleaſe you my Lord their Coats were turn'd.

Q. Were theſe the very Cloaths you now wear; were they turn'd, and the Cloaths they have on?

Bray. Yes, pleaſe you my Lord.

Q. (*to the Priſoners*) You hear what this Witneſs has ſaid; what is it you have to ſay for yourſelves?

Priſoner. My Lord, I never was with him in any Field by Night or by Day; I am innocent of the Thing, I take God to be my Judge.

Court. You know the Time that *Biles* has ſworn to, he ſays the 25th of *April*; now have you any Witneſſes to prove that you were in any other Place, or was not there?

Priſoner. I had a Witneſs to prove where I was at that Time.

Q. What is your Witneſs's Name?

Priſoner. *John Brown*, of Col. *Bagnel*'s Company; he promiſed to be here to Day.

Q. When did you ſee him laſt?

Priſoner. I have not ſeen him ſince I came out of the Hoſpital.

Q. Who did you ſend to him?

Priſoner. A particular Friend, *James Carter*, he came to me at the *Gatehouſe*.

Q. (*to the Keeper of the Gatehouſe*) Did they tell you they wanted to ſend for any Witneſſes?

Keeper. No, my Lord. Both Guilty **Death.**

George Thomas and **John Short** were a ſecond Time indicted for aſſaulting *Edward Clark* in a certain Field on the King's Highway, on the 8th of *April*, putting him in fear of his Life, and feloniouſly taking from him a Cloth Coat, a Hat, a Pair of Buckles, and four Pence in Money, the Property of the ſaid *Edward Clark*.

Q. (*to Clark*) When was you robb'd?

Clark. The 8th of *April*, about a Quarter paſt Nine, as near as I can gueſs.

Q. Where was the Place?

Clark. I was robb'd between *Buckingham-Gate* and *Chelſea*, the firſt *Chelſea*.

Q. How far from *Buckingham-Gate* might it be?

Clark. Not above 200 Yards from my own Houſe.

Court. Then you live there.

Clark. Yes, five Years, my Lord, at the Sign of the *Horſe and Groom*.

Q. Was it in the Field?

Clark. It was in the Foot-Path, my Lord.

Q. What Number of People came upon you?

Clark. Three, my Lord.

Q. What Stature were they?

Clark. They ſeem'd to me to be very luſty Men.

Q. What Cloaths had they on?

Clark. They had not Soldiers Cloaths on; they were diſguis'd; they were in Colours.

Q. What Colours?

Clark. I took them to be Blue or Green.

Q. Was it dark then?

Clark. It was neither light nor dark.

Q. What did they take from you?

Clark. They took from me a light-colour'd Cloth Frock and my Hat.

Q. Was your Hat any Way remarkable?

Clark. Yes my Lord, wherever the Hat is, it has a Knotch where the Button is: And they took a Pair of Buckles, my Lord, and four Pence in Money.

Q. What were the Buckles made of?

Clark. They were Metal Buckles.

Q. Have you ſeen any of thoſe Things ſince?

Clark. No, my Lord. *William Bray* ſent for me to Juſtice *Fraſer*'s and confeſs'd, that *George Thomas*, *John Short* and he had done it.

Court. Then you can't be ſure to the Men?

Clark. No, my Lord.

Court. Now let *Bray* be brought into Court.

Q. (*to Bray*) Do you know any Thing of the robbing *Edward Clark*?

Bray. Yes, my Lord.

Q. What Time might it be?

Bray. I can't tell Particulars; it might be ſome Time in *April*.

Q. Was it the Beginning, the latter End, or Middle of *April*?

Bray. I can't be ſo particular, pleaſe you my Lord.

Q. How long was it after the Robbery of *Biles*? Might it be a Month, a Fortnight, or three Weeks, or what; can't you remember at what Diſtance of Time one Robbery was tranſacted from another?

Bray. It might be a Week or ten Days after that, pleaſe you my Lord.

Q. You ſay you remember this Robbery; what o'Clock was it?

Bray.

Bray. Pleaſe you, my Lord, it might be about Ten o'Clock.

Q. What Time did you go out of *London?*

Bray. We we went out of *London*, pleaſe you, my Lord, between Eight and Nine.

Q. Who was with you?

Bray. *John Short* and *George Thomas.*

Q. Where did you go that Night?

Bray. Into the *Five Fields* between *London* and *Chelſea.*

Q. Who did you meet with there?

Bray. This was the Man, *Edward Clark.*

Q. What did you take from him?

Bray. We took from him a Hat.

Q. Was there any thing remarkable in the Hat?

Bray. Not that I know of. And a Coat, it was a light-colour'd Coat with broad Buttons, we took them to be Plate.

Q. Was it a Great Coat?

Bray. A cloſe-body'd Coat, my Lord.

Q. Did you take any thing elſe?

Bray. We took from him a Groat in Half-pence, to the beſt of my Knowledge, and a Pair of Sciſſars.

Q. What elſe?

Bray. Nothing elſe.

Q. Did you take any Metal Buckles?

Bray. Yes, pleaſe you, my Lord, I remember them.

Q. Were the Priſoners with you?

Bray. Yes, my Lord.

Q. What, did you rob with theſe ſame Piſtols? In what Manner did you rob?

Bray. We met him in the *Five Fields* and demanded his Money; he did not ſeem to be free, ſo we haul'd him out of the Road, by a little Gateway, into the Field, and *George Thomas* hit him over the Head with one of the Piſtols, and we took from from him a Hat, Coat, and a Pair of Buckles, a Groat in Half-pence and a Pair of Sciſſars.

Q. Did you divide theſe Things; or what did you do with them?

Bray. Pleaſe, you, my Lord, the Coat was ſold in the Street beyond *Thieving-Lane*; but I can't nominate the Street.

Q. Was you preſent when it was ſold?

Bray. Yes, my Lord.

Q. What was it ſold for?

Bray. For 2 s.

Q. Had you any Part of that Money?

Bray. Yes, my Lord.

Q. Have you any thing farther to ſay?

Bray. No, my Lord.

Q. *(to the Priſoner.)* Would you aſk the Witneſs any Queſtions?

Priſoner. My Lord, I don't know what to aſk him; but what he has ſaid is entirely falſe.

Q. You other Priſoner, have you any thing to ſay?

Priſoner. He ſwears quite wrong; I never drank with the Man above once in my Life, and am as innocent as the Child unborn.

Court. (to Edward Clark.) Stand up; you have heard what *Bray* ſays: When they met you they demanded your Money, and you was not free to give it.

Clark. As I keep a Publick-Houſe I thought they had play'd the Rogue with me. They preſented one Piſtol to my Head, another to my Breaſt, and one of them ſtruck me on the Head: I was two Hours before I came to my Senſes; they beat me both in the Pathway and in the Field, and dragg'd me over a Bank into a Place call'd *Avery-Farm* Field.

Q. *(to William Bray.)* Do you belong to the ſame Company with the Priſoners? What Company are you of?

Bray. I belong to Col. *Boſcawen*'s Company.

Q. What Company do the Priſoners belong to?

Bray. To the beſt of my Knowledge they belong to a Grenadiers Company; but I don't know the Lord's Name, though the Gentleman they belong to came to ſee me while I was in Priſon; I can't readily think of his Name.

Q. How did you come by theſe Piſtols?

Bray. It was *Thomas Bird* and *John Short* cut them in the Manner they are.

Both Guilty, **Death.**

268, 269. **John Short** and **Thomas Bird** were indicted for aſſaulting *William Petit*, on the 5th of *March*, in a certain Field near the King's Highway, putting him in fear of his Life, and feloniouſly taking from him a Silver Watch, Value 3 l. 3 s. a Guinea, 2 s. in Silver, and a Claſp-Knife, the Property of the ſaid *William Petit.*

Q. *(to William Petit.)* Will you give an Account whether you was robb'd, the Night when, and where?

Petit. It was on the 5th of *March*, pleaſe you my Lord.

Q. Where was it?

Petit. Between *Tottenham-Court* and *Mother Red Cap*'s.

Q. Do you remember the Day of the Week?

Petit. On *Wedneſday*, my Lord.

Q. What Time of the Day or Night?

Petit. About a Quarter after Eight at Night.

Court.

Court. You ſay it was between *Tottenham-Court* and *Mother Red Cap*'s; which Way was you going?

Petit. Coming to *London*.

Court. Deſcribe the Robbery: How many were they that attack'd you?

Petit. Three Men, pleaſe you, my Lord.

Q. Was it light or dark?

Petit. Dark, my Lord; I had a Link.

Q. Was any Body with you?

Petit. Yes, there was another Man came out of the Alehouſe with me; but I did not know him; I had the Link.

Q. Did you ſee their Apparel?

Petit. No, my Lord. The firſt Man that went by me bid me good Night; as ſoon as ever he was gone by two Men came up to me and clapp'd a Couple of Piſtols to my Face and bid me deliver my Money. They took from me a Silver Watch.

Q. Did you ſee the Faces of any of the three?

Petit. They made me lay my Link down, and clapp'd their Feet upon it directly.

Q. Was that the firſt Thing?

Petit. Yes, my Lord; then they bid me deliver my Money.

Q. What did they take from you, a Silver Watch?

Petit. Yes, my Lord.

Q. How many were there of the Men that robb'd you?

Petit. Three of them; the firſt paſs'd by me, and turn'd round and took hold of my Arm. They took a Silver Watch from me, a Guinea in Gold, 2 s. in Silver, and a Claſp-Knife.

Q. Did they take the Watch?

Petit. I took the Watch out of my Pocket and clapp'd it into my Breaſt; but they ſaw it and ſaid they would have it; and they rifled my Pockets.

Q. After they had robb'd you, what did you do; or what became of them?

Petit. I aſk'd for the Stick again; they ſaid, go about your Buſineſs, you are well off, you might have fallen into worſe Hands.

Q. Was it Star-light? Could you not ſee whether they were Men or Boys.

Petit. No, my Lord, I could not.

Q. Have you met with your Watch again, or any thing elſe?

Petit. No, my Lord, nothing but the Claſp-Knife.

Q. (to John Nightingale.) What have you to ſay concerning this Robbery?

Nightingale. The Evidence, *William Bray*, came and ſurrender'd himſelf to Mr. *Weſt* and me, being Conſtables of the Pariſh, and an Information was taken by Mr. *Fraſer*.

Q. How came you by thoſe Pieces?

Nightingale. By the Direction of *William Bray*.

Q. In what Field did you find thoſe Pieces?

Nightingale. In a Field between *Tottenham-Court* and *Primroſe-Hill*; about two little Fields from *Primroſe-Hill* and the like Diſtance from *Tottenham-Court*; we went in queſt of them by *Bray*'s Direction, but could not find them at firſt.

Q. When was it?

Nightingale. About the 27th of *May*; we look'd but could not find them, ſo we went back to *Tothill-Fields Bridewell* to get *Bray* to ſhew us where the Pieces were, which he did, and we took them out of a Ditch.

Q. In the ſame Place he deſcrib'd them to be in?

Nightingale. Yes.

Court. You could not find them, you ſay.

Nightingale. No, my Lord.

Q. How long was it before he went with you?

Nightingale. We went about Five o'Clock in the Morning the firſt Time, and about One we went again and found them. I have nothing farther to ſay.

Q. (to Thomas Weſt.) What do you know of this Affair?

Weſt. My Lord, this *Bray* came and deliver'd himſelf up to *Nightingale* and me; we then went to Juſtice *Fraſer*, who took his Information and granted a Warrant for apprehending theſe Men; we carry'd *Bray* to *Bridewell*, and that Night took one of the Priſoners; the next Morning we took *Stephens*, *Short* and *Bird*, the firſt in *Gardens-Lane* and the the two latter in *Newtoners-Lane*. This Knife *Bray* gave to me, and ſaid he had robb'd one Mr. *Petit* of it.

Q. (to Joſeph Terry.) Was you with theſe People when they found the Piſtols? Give an Account of what you know of this Matter.

Terry. I keep a Publick-Houſe in *King-Street*, *Weſtminſter*; this *Bray* came firſt to me and ſurrender'd himſelf a Priſoner; I took him before Juſtice *Fraſer* the 27th of *May*, on a *Monday* Morning.

Q. How came he to ſurrender to you?

Terry. He ſaid he had committed a great many Robberies.

Q. What ſaid he to you?

Terry. He cry'd, and ſaid he had been guilty of a great many Robberies. I ſaid to him, the beſt Thing you can do is to make a Confeſſion; accordingly he impeach'd theſe Men before the Juſtice of Peace.

Q. Was

Q. Was you concern'd in going to ſeek for any Arms?

Terry. They went in the Morning and could not find the Arms, and in the Afternoon call'd upon me to go with them to *Bray*, in order to take him with us to find the Piſtols.

Q. (*to William Bray*) Will you give an Account of the Time when *Petit* was robb'd?

Bray. Yes, my Lord; it might be about Eight o'Clock.

Q. What Month was it in?

Bray. In *March*, as near as I can gueſs, the 5th, my Lord.

Q. Who was with you?

Bray. *Thomas Bird* and *John Short*; thoſe two Men at the Bar.

Q. Was there no body elſe?

Bray. No, my Lord; there were only three of us.

Court. Give an Account where it was.

Bray. It was between *Mother Red-cap*'s and *Tottenham-Court* we met Mr. *Petit* and another.

Q. Did you know him?

Bray. I knew him when I ſaw him. I told him he was robb'd in ſuch a Place, of ſuch and ſuch Things.

Q. Did you know him before?

Bray. No, my Lord. I met Mr. *Petit*, and another was lighting him with a Link.

Q. Which Way were they going?

Bray. They were coming towards *Tottenham-Court*.

Q. Which Way were you going?

Bray. We were going the contrary Way. Pleaſe you, my Lord, *Short* went forward to give an Account how many there might be in Company, and whether he lik'd them.

Q. How far might he go firſt?

Bray. It might be thirty or forty Yards: If he lik'd them he was to give an Hem. Then when I came up to the Man that had the Link in his Hand, I bid him to put it out: when I *demanded* him to put out his Light *John Short* came back again, and might tread upon it, to the beſt of my Knowledge. I goes then up to Mr. *Petit*, and demanded his Money.

Court. Then you went up to *Petit*?

Bray. Yes, my Lord, and I demanded his Money. When I demanded his Money he had pull'd his Silver Watch out of his Pocket, and had got it about Breaſt high, and was going to put it into his Boſom; I told him, D----n you, that is mine; ſo I ſnatch'd the Watch out of his Hand, and *Thomas Bird* and *John Short* put their Hands into his Pocket together, and took out a Guinea in Gold, two Shillings in Silver, and a claſp'd Knife, pleaſe you, my Lord.

Q. How do you know they took theſe Things?

Bray. Pleaſe you, my Lord, I ſaw the Money; ſaw them take it out of his Pocket, and ſaw it when I came to Town; and the Knife that was taken I deliver'd it to the Conſtable. [*The Knife was produced in Court.*]

Q. How did you come by that Knife?

Bray. Pleaſe you, my Lord, one of thoſe two Priſoners gave it me.

Q. (*to —— Petit*) Is that your Knife?

Petit. Yes, my Lord, 'tis my Knife.

Q. (*to Bray*) Have you any thing farther to ſay?

Bray. No, pleaſe you, my Lord.

Q. Had you ever robb'd before with *Bird*?

Bray. Pleaſe you, my Lord, *Bird* was the firſt Man that put the Queſtion to me.

Court. What Queſtion?

Bray. He aſk me if I would go out; he ſaid it was fit for Boys to ſtarve, and not Men.

Q. (*to the Priſoners*) Would either of you aſk the Witneſs any Queſtions?

Bird. My Lord, what would you have me aſk a Stranger? I don't know the Man.

Court. *Bird*, What have you to ſay for yourſelf? he charges you with a direct Robbery.

Q. (*to Bray*) What did you do with the Watch?

Bray. Pleaſe you, my Lord, it was ſold to Mr. ——— for 30s.

Q. (*to Petit*) If I underſtand you right, you had the Link, and this other Man, as I took it, you met by Accident: Be ſerious, and tell us how the Fact was: Had you the Link before you met that Perſon?

Petit. We came out together; the other carried the Link.

Court. That you ſtand to, and you follow'd him.

Q. (*to Bird*) What do you call this Witneſs to; is it to your Character, or what?

Bird. To what he has ſworn againſt me.

Q. (*to Conningham*) What have you to ſay on the Behalf of *Bird* the Priſoner?

Conningham. On the 15th of *March* I had the Care of the Company left to me; and he was very ill at that Time, ſo bad a-bed that he could not come for his Pay; he was ill the 15th and ſometime before.

Q. Do you know it of your own Knowledge?

Cunningham. I knew he was ſo bad that he was not able to get out of his Bed; my Lord, he was all over with Blotches, and ſo ſure he could not get up: He was at the Corner of *Newtoner's-Lane*, at a Chandler's Shop.

Q. (*to Frances Wood*) Where came you from?

Wood. Sir, I am a poor Woman, that have liv'd many Years where I do now.

Q. Where is that?

Wood. Where the Priſoner liv'd.

Q. Where is that?

Wood. The Corner of *Newtoner's-Lane*, in *Newtoner's-Street*, you may properly call it.

Q. What have you to ſay for him?

Wood. Pleaſe you, my Lord, I am a poor Woman, that goes out a Waſhing and Scowering; we were ſo intimate we went in and out.

Q. What, you mean *Bird?*

Wood. Yes, my Lord; he came there the latter End of *January*, and he was took ill about the Middle of *February*.

Q. Did you live in the ſame Houſe?

Wood. In the ſame Houſe, the next Room; that he could not ſpeak but I muſt hear him; and every Time I have come home from Work I us'd to call. He had Sores upon him, that 'tis a Shame to expreſs it to your Lordſhip, that he could not ſtand or lie he was ſo bad; and I believe, my Lord, I am upon my Oath, he was not down Stairs for two or three Weeks; he might have been when I went out.

Court. So he was very bad, full of Blotches, you ſay.

Wood. He was indeed in ſuch a Condition that it was a Shame to expreſs.

Court. But he might have been out, as far as you know, you ſay.

Q. (*to William Pearſon*) What have you to ſay?

Pearſon. Mr. *Bird* and his Wife came to my Houſe to take a Room about the latter End of *January*.

Q. Where do you live.

Pearſon. The Bottom of *Newtoner's-Street*, in *Newtoner's-Lane*, the Corner-Houſe.

Q. How long did he ſtay at your Houſe?

Pearſon. 'Till he was taken up I never ſaw any Hurt of him, nor never ſaw him before he came to take the Room. I ſaw *William Bray* come to my Houſe to a young Woman ſeveral Times, 'till he married her.

Court. So *William Bray* came to your Houſe?

Pearſon. Yes, to a young Woman that was in our Houſe.

Court. So you did not ſee him come to any Body elſe?

Pearſon. No, my Lord, never in my Life.

Q. Pray, what Buſineſs was this *Bird?*

Pearſon. When he was in Health he us'd to carry a Chair.

Q. Did he work at this Time?

Pearſon. Not all the Time, becauſe he was ſick.

Q. How long was he ſick?

Pearſon. I can't tell, my Lord, I have other Buſineſs to mind of my own.

Q. (*to Robert Maſchill*) What have you to ſay?

Maſchill. I have nothing to ſay but as to his Gharacter. I belong to the ſame Company with him, and have known him four Years, and he always behav'd very well; he was of Colonel *York*'s Company, the Second Regiment of Guards.

Q. Did he uſe to attend his Company?

Maſchill. He came to all Duties. As to the latter Part, ſince he came out of the *North*, I can't tell. I know he was ſick ſome Time, but I did not attend him.

John Short, and *Thomas Bird*, both Guilty. **Death.**

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270. **John Smith**, of the Pariſh of *St. Anne's*, was indicted, for that he, on the 14th of *June* laſt, did feloniouſly take and carry away one Promiſſory Note, No. 384, ſubſcrib'd with the Name of *Ralph Morriſon*, Value 20 l. the Property of *William Twiſs*.

Council. Pleaſe your Lordſhip, and Gentlemen of the Jury, I am Council on the Side of the Proſecutor; the Priſoner ſtands indicted for feloniouſly taking and carrying away a Promiſſory Note, No. 384, payable to Mr. *Thomas Floyd*, the Property of *William Twiſs*. My Lord, the Caſe is, in ſhort, this: Upon the 14th of *June* laſt, one Mr. *Griffith* ſent a Bank Note to Mr. *Twiſs*, to be exchang'd for Silver; Mr. *Smith*, the Defendant, receiv'd it; I believe every Body knows there has been a conſiderable Loſs of Bank Notes; Mrs. *Twiſs* being afraid ſhe ſhould be impos'd upon, compar'd it with the Notes in the Advertiſement, and therefore was willing to change it. The Priſoner was ſitting in a little Room of the Publick Houſe, and deſir'd Mrs. *Twiſs* to let him have a Look at it, which ſhe did, and he return'd it again. As ſhe was going away with it, he (the Priſoner) deſir'd ſhe would favour him with another Sight of it; being in a Hurry Mrs. *Twiſs* leaves the Note in the Priſoner's Hands. The Priſoner had with him a little

little Girl, about eight or nine Years of Age; and while Mrs. *Twiſs* was counting up the Change, he took the Opportunity to go away with the Note, Mrs. *Twiſs*'s Back being towards him; but miſſing the Priſoner, ſhe told her Huſband of it, upon which this Man was immediately purſu'd; they follow'd him to his Lodgings, at one Mrs. *Jones*'s; when they came there he was at the Vault; for ſome Time he offer'd to go before a Juſtice of Peace, or depoſit the Value in Mrs. *Twiſs*'s Hand: There was one there paſſes for his Wife; ſhe deſir'd there might be no Noiſe about the Note, for it ſhould be produced: She ſaid, Nay, it may be among the Child's Playthings, for ſhe is exceeding fond of Paper. There was one Mr. *Clark* and *Laurence* call'd to their Aſſiſtance, as a ſort of Guard; yet he run out of the Houſe, and went into *Hare-Street*, *Piccadilly*; there he ſtay'd for ſome Time: From thence he made his Eſcape, got out at the Back-Door, into a Gentleman's Airy, where he was taken and carry'd to the Watch-houſe. The Bank Note was not found upon him, nor had he any Money about him at that Time. The next Night Mrs. *Jones*, his Landlady gave the Note to Mr. *Twiſs*.

My Lord, and Gentlemen of the Jury, I have open'd the Caſe, and will call my Witneſſes in order to prove it. I ſhall not attempt to do any thing by way of Exaggeration againſt the Priſoner; but if we prove him guilty we hope you will find him ſo.

Council for the Priſoner. May it pleaſe your Lordſhip, and Gentlemen of the Jury, I ſubmit it whether, according to his own Opening, 'tis not a Breach of Truſt.

Q. (to Mrs. Twiſs) Where do you live?

Twiſs. At the *Horſe and Dolphin* by *St. Anne*'s, *Soho*.

Q. Have you ever ſeen the Priſoner at the Bar before?

Twiſs. I never did, 'till the Time he took the Bank Note.

Q. When was it?

Twiſs. Upon a *Saturday*, the 14th Day of *June*; I had an Acquaintance along with me in my Bar-Room. This Priſoner came into the Houſe, introduced himſelf into the Bar-Room, and was very free with my Acquaintance, Mrs. *Catherine Wood*. I was backward when the Priſoner came into the Houſe. There was a little Girl he brought along with him; Mrs. *Wood* ſaid, Do you know this Man? I ſaid I knew the Girl; ſhe came three or four Times a Day to the Houſe; ſhe lodg'd at a Neighbour's. And as he ſat there, by and by, Mr. *Griffith*, a Maſter Taylor in *Gerrard-Street*, ſent a Bank Note (by *Giles Webb*, his Apprentice) and deſir'd I would give him Change for it to pay his Men. The *Advertiſer* lay upon the Table in the little Room; I ſtepp'd into the little Room, and ſaid, I will look if this Note is not one of thoſe advertis'd. When I had look'd at it, the Priſoner ſaid, Pray let me compare the Note and the Paper together; which I did, my Lord, and ſtood by to receive it back again: He return'd it to me again, and in a Moment after he had done it, he ſaid, Pray indulge me a ſecond Time, and let me compare the the Names. The Boy ſtood by me, my Lord, that wanted the Change, and ſaid, My Maſter is in Haſte for Change; ſo I went to the Box, directly facing the Room; the Boy ſat facing the Door, and I had my Back to it: The Gentlewoman that was in the Room came out, and, as ſhe paſt, clapp'd me on the Shoulder, and ſaid, Take Care of your Note. My Huſband was then come into the Room, and was backwards and forwards, and aſk'd me how much Change Mr. *Griffith* wanted; I ſaid, Twenty Pounds; he ſaid, I know that, but did he want Gold or Silver; but the Boy that I gave the Change to ſaw the Man go out. When I had done I went to the Bar, and ſaid to my Huſband, Have you got the Note? he ſaid, No; then ſaid I, Run after the Man that lodges at *Jones*'s, for he has got it.

Q. And how long was this after you gave him the Note the ſecond Time?

Twiſs. When I had given him the Change, which was only nine Pounds in Silver, and the reſt in Gold, and when I went to the Bar it was gone; it might be three or four Minutes.

Q. Do you know any Thing further?

Twiſs. No more than that I went to his Lodgings, to Mrs. *Jones*; when we came, they ſaid he was at the Vault; he went through the Paſſage into the Vault; ſo I ſaid to my Huſband, Pray fetch him out, he will make away with the Note: When he came out he ſaid, What is it you want? I ſaid, I come for the Note; he ſaid he had return'd it; I ſaid, that he did the firſt Time, but not the ſecond. The Woman ſaid ſhe would examine the Girl, for ſhe was exceeding fond of Papers; ſhe ſaid, may be ſhe had it among her Play-things.

Q. Who was this Woman?

Twiſs. The Woman he lives with, one Mrs. *Chaff*, ſometimes goes for his Wife; they began to quarrel before us; he ſaid, this is what you have brought me to, &c. for ſhe ſaid, if it was not found ſhe would anſwer for it. He ſaid we had no proper Officers, and could not detain him; then *Thomas Laurence* deſir'd us to ſend for ſomebody elſe, which we did, we ſent for Mr. *Clark*; when he

he came he call'd for a Light, but we could have none, and the Priſoner made his Eſcape into *Jones*'s Shop, and hid himſelf there; but *Laurence* and *Clark* fetch'd him out: Then, Sir, immediately after that he burſt open the Door, and got out into the Street.

Q. (*to Catherine Wood*) Do you remember being at Mr. *Twiſs*'s?

Wood. Yes, it was the 14th of *June*, being *Saturday*.

Q. Did you ſee the Priſoner come into the Houſe?

Wood. I was in the Room when the Priſoner came in and ſat down, and I thought I had as much Right to ſit there as he, and I kept my Place. I was there when this Note came to be exchang'd. Mrs. *Twiſs* took up the Paper and brought the Note in her Hand; the Priſoner deſir'd to ſee the Note, and ſhe gave it him into his Hand, and he gave it her again: As ſhe turn'd her Back he deſir'd he might be indulg'd with the Sight of it once more; which ſhe did, and gave it him again.

Q. Did he return it again?

Wood. He did not. I got up and went away; as I went into the publick Room I deſir'd Mrs. *Twiſs* to take care of her Note.

Q. Pray, how came you to bid her take care of her Note?

Wood. I can't ſay I lik'd the Perſon.

Q. So he was peruſing the Note when you went away?

Wood. Yes, My Lord.

Q. Did you know the Priſoner at the Bar before?

Wood. No.

Council. Then you had no Reaſon to have a Suſpicion of him?

Wood. When he receiv'd it the ſecond Time he held it up to the Window, and ſaid it was poſſible to cancel it; that he thought it poſſible to put out *Thomas Floyd*, and put in *Edward*, which was adverti's'd.

Richard Hall. On *Saturday* the 14th of *June* I call'd to ſee Mrs. *Twiſs*, being old Acquaintance. I went into the Publick Room; ſhe ſaid there was an Acquaintance of mine, Mrs. *Wood*; ſhe ſhew'd me into the little Room behind the Bar. While I was there, there came a Bank Note to be exchang'd. There lay the News Paper on the Table before the Priſoner.

Q. Did any of you know him?

Hall. I never ſaw him in my Life before. When the Note came, ſaid Mrs. *Twiſs*, I will look and ſee if 'tis one of thoſe that are adverti's'd. The Priſoner being very officious, he was deſirous to ſee it: The Perſon for the Change being in Haſte, ſhe deſir'd it of him again; he return'd it, but he deſir'd juſt to be indulged with another Look again. He held the News Paper in one Hand, and the Note in the other; I can't ſay how long at that Time. Mrs. *Wood* went away, but I remain'd in the Room. I was the laſt, I did not ſee him deliver the Note again to Mrs. *Twiſs*.

Q. Where was Mrs. *Twiſs*?

Hall. Mrs. *Twiſs* was in the Publick Room giving the Change.

Q. Then there was No-body in the Bar-Room but you and the Priſoner?

Hall. No; there was a little Child came in and out.

Q. What happen'd after that Time? Was he peruſing it?

Hall. The Priſoner ſoon went away: I was the laſt in the Room, and he muſt take it away, for there was nothing left in the Room.

Q. How long might be the Time that you was in the Room after he went off.

Hall. I went away directly after him.

Q. Where was Mrs. *Twiſs*?

Hall. Mrs. *Twiſs* was in the publick Drinking Room, and had not finiſh'd giving the Change.

Q. Did you follow him?

Hall. I ſtay'd in the Room; it might be two Minutes after him.

Q. Do you know whether the Child was in the Room when he was comparing this Note? Was ſhe there the ſecond Time? Do you know, in the firſt Place, whether the Child was, or was not, in the Room?

Hall. I can't be poſitive of that.

Court. But the laſt Time you ſaw the Note it was in his Hand?

Hall. In his Hand, my Lord, and it might be two or three Minutes, or thereabouts, before he went away.

Q. (*to Giles Webb*) Do you remember carrying any Bank Note to Mrs. *Twiſs*?

Webb. On *Saturday* Night, the 14th of *June*, I carried a Bank Note to Mrs. *Twiſs*, to give me Change: She was in the Bar Room, and the Priſoner at the ſame Time; ſhe took the News Paper, and look'd at it. I turn'd into the common Room, and left her and the Priſoner there: A little after I came to her again, and told her I was in Haſte, and ſhe left the Priſoner in the Room and Bank Note, and came to a little Box in the Bar-Room to give me Change; the mean while I ſaw the Priſoner go out.

Q. Had

Q. Had he the Child with him when he came out?

Webb. I did not ſee the Child go out with him: The Child did come to Mrs. *Twiſs* while ſhe was telling the Money, ſo we deſir'd her to go away becauſe we could not tell the Money; ſhe was fingering of it.

Q. (*to John Clark*) Will you give my Lord and the Jury an Account of what you know of it?

Clark. On *Saturday* the 14th of *June* I was ſent for by Mr. *Twiſs* in a great Hurry, for what, I did not know 'till I came into the Houſe; ſaid he, I beg you will go to Mrs. *Jones*'s, and aſſiſt my Wife in taking a Man that has robb'd me of a Bank Note. When I went to *Jones*'s, they were all in Darkneſs; I asked for a Light, but it was refus'd me by the Landlady Mrs. *Jones*; ſhe refus'd me ſeveral Times. There was a Woman that has gone for the Priſoner's Wife; ſhe came, and, in a ſoothing Way, ſaid, Mr. *Clark*, I beg to ſpeak to you: I ſaid, Madam, I doubt there is no Good if you are concern'd in it; ſhe deſir'd me to be quiet; ſhe ſaid, if the Note was loſt, ſhe would lay down an equal Sum 'till it was found.

Q. Was that in the Preſence of the Priſoner?

Clark. The Priſoner was in the Room, but I had not ſeen him; by and by he made his Eſcape backward. I had ſome Suſpicion when I heard ſhe was concern'd in it, that it was him; ſo he made his Eſcape into the Work Shop, which was very dark. I went into the Work Shop, and grovel'd about for him; I believe I was in the Shop the beſt Part of ten Minutes: At laſt I found ſomething ſtir'd, for he had Opportunity of ſeeing me; he riſes up, and I pinion'd him after this Manner, and carried him ſo into the Houſe; he ſaid I had no Authority to detain him, and uſed me with a great deal of Inſolence. I was conſcious I was got into very bad Hands; I ſent for Mr. *Twiſs*, but he did not come ſo readily as I could wiſh. Then he made a Puſh into the Street, and ſwore he would do us a Miſchief, me in particular, if I dar'd to preſume to follow him. When we came to the firſt Corner, he made a Puſh to get away; we followed him into *Hare-Street*, *Piccadilly*, there he went into the Houſe of one *Miller*; I left *Laurence* to watch him; there he was a conſiderable while. Mr. *Twiſs* went to St. *Anne*'s Watch-houſe, and I went to St. *James*'s Watch-houſe; theſe are the People here that took him.

Thomas Laurence. On *Saturday* the 14th of *June* laſt, when I came to Mr. *Twiſs*'s Door, he told me he had loſt a Bank Note; I went to the Houſe, the Gentlewoman that paſt for the Priſoner's Wife, ſhe pretended the little Girl had got the Note, that ſhe was very forward for Paper, Pictures, &c. and in ſpeaking of it, ſhe pretended the Child knew that ſhe had loſt the Note.

Q. Did you take him?

Laurence. Yes, my Lord; he got over two Walls from Mr. *Miller*'s Houſe; he got into one Mr. *Dowdel*'s Airy, and we took him there, and had him to the *Round-houſe*.

John Fenton. When we came to Mr. *Miller*'s Door in *Hare-Street*, the Woman of the Houſe ſaid he was gone backward; ſo we took him in Mr. *Dowdel*'s Airy.

Dowdel. I was in Bed, my Lord, about Twelve o'Clock, and my Servant up two Pairs of Stairs heard a Man in my Garden, that there was a ſtrange Man had made his Eſcape to the back Part of my Houſe. I got up as ſoon as I could put on my Night-Gown, and that Gentleman (Mr. *Fenton*) and Mr. *Laurence* had got Hold of him in my Area. I went to the Watch-houſe with him, and I appear'd before Sir *Thomas* to ſupport the Charge. Mrs. *Twiſs* made Uſe of my Name coming to her Huſband, in Relation to this Bank Note. This Woman they call Mrs. *Chaff*, came to my Houſe the next Day, to let me know that ſhe believed the Note was found; upon which I ſaid I am glad of it, that they might not loſe their Money. Upon her aſſuring me this, I went to Mrs. *Twiſs*, and enquired for her Huſband; ſhe told me her Huſband was at *Weſtminſter*; I told her I deſired that he would not advertiſe the Bank Note, but come to me the next Day. The next Day Mrs. *Jones* came to me, and ſaid ſhe had the Note, and ſaid alſo ſhe was frightened out of her Wits about it, and ſhe wanted to part with it; well, ſaid I, you muſt carry it to the Perſon that owns it.

Q. (*to Mrs. Twiſs*) Who advertiſed the Note?

Twiſs. My Huſband advertiſed it, and I am ſure, my Lord, this is the Note.

Q. Well, Madam, will you give an Account how you came by the Note again?

Twiſs. Mr. *Dowdell* inform'd me that Mrs. *Jones* had the Note, and I might have it; ſo I went to Col. *De Veil* to know whether I ſhould take the Note again; he was for my taking of it, but to take ſomebody with me to atteſt it; ſo I had the Note of Mrs. *Jones*.

Q. What did ſhe ſay to you?

Twiſs. She did not ſay hardly any Thing to me when ſhe gave it.

Q. (*to Ralph Morriſon*) Look at the Bank Note, and tell us who 'tis ſign'd by.

Morriſon. I am a Caſhire of the Bank, and it is of my ſigning, Sir.

Council for the Priſoner. I muſt beg Leave to offer, whether this Thing don't appear plainly to be a Breach of Truſt?

Q. (to the Priſoner) What have you to ſay by Way of Defence?

Priſoner. My Lord, I muſt beg Leave of this honourable Court to indulge me with asking a few Queſtions.

Court. You muſt tell us how you came by the Note.

Priſoner. I went in with a little Child, my Lord, into this Houſe; ſhe ſays in the Room ſhe was in, ſhe has only ſelect Company: I was never in the Houſe before; the Door was open, it ſeem'd to me to be an open Publick Room. My Lord *Scarborough*'s Servant was there, and talking ſomething of the late Lord *Scarborough*, and indifferent Matters, this Mrs. *Twiſs* comes out of the Bar; there was a Step or two to come down to this Place: She brings a Bank Note in her Hand, and ſaid I am going to change it; ſhe wanted to know if it was *Loyd*, or *Floyd*, in the Advertiſement, but it was not the ſame Chriſtian Name. Then ſaid ſhe 'tis a good Note; I thought my Lord ſhe meant whether it was a real Bank Note. Pray indulge me with it, I ſaid; then I told her ſhe was very ſafe in changing of it: I return'd it again, my Lord, and I knew no more of it afterwards; ſhe ſays ſhe took up the *Advertiſer*. When I had the Advertiſement in my Hand, and a little Child playing at my Knee, ſhe comes to me to know whether that Note was advertis'd; ſhe mentions that it was but two Minutes that I ſtaid after ſhe left me and went to change the Notes; pray aſk her how many Minutes ſhe was upon her Examination; that's nearer than 14 Days ago; ſhe does not know what a Minute is: I was there three Quarters of an Hour after. Did I not ſpeak to my Lord *Scarborough*'s Servant, if he came there again of an Evening, I would drink with him? I treated him, did not let him pay any Thing, and that pretty Lady too I treated. Now, my Lord, if I was not laſt in the Room, which I take to be the Publick Tap, if I was not the laſt in the Room, he muſt be the laſt; then I could not have ſpoke to him upon the Bench going out. Give me Leave to trouble you with the next. The firſt Evidence, Mrs. *Twiſs*, ſpeaks of the Gentlewoman where I lodge, whereas ſhe knows no more where I lodge than your Lordſhip; where ſhe ſays I lodge, I have the Woman here preſent to know, whether I ever lay in the Houſe where this unhappy Accident happen'd. Now, my Lord, ſhe ſwears ſo abſolutely that I took it away, but it was before Sir *Thomas*, who has a very beautiful Way of Empire in his own Territories. Did ſhe not ſend to the Taylor, the Owner and Proprietor of this Note, to know whether the Boy had taken this Note along with him and the Money; that I hope your Lordſhip will aſk. Now as to this wooden Madam, this Mrs. *Wood*, my Lord, I made an Aſſignation with that fine Lady to go with me to *Vaux-Hall* the following Week: See whether ſhe will deny that; I hope ſhe is not dreſſed up to deceive this honourable Court; I hope they are her own Cloaths. My Lord, ſhe ſaid ſhe had an ill Opinion of me; how can ſo fine a Lady have an ill Opinion of that charming fine Fellow, as ſhe told me I was at that Time.

This Bar, my Lord, is like the Pulpit of a Church adjoining to the Wall; how then could I go behind the Room? 'Tis a publick Room, my Lord.

Mrs. *Wood* likewiſe ſays, my Lord, that Mrs. *Twiſs* came in and took up the *Advertiſer*, when I had it in my Hand all the Time.

Now, my Lord, here is a Boy that ſays he ſaw me: I was remote from his immediate ſeeing of me, becauſe there was a Partition to prevent it, and I ſat with my Elbow on the Table, with the *Advertiſer* in my Hand: That Boy pretends he ſaw me; I believe he never ſaw me, for he had been gone Three Quarters of an Hour before I left the Place.

Here is another Man, one *Clark*; he ſays, when he came to this Mrs. *Jones*'s Houſe, it was very dark; when it was not; but it was too dark for me, my Lord.

Q. (to Mrs. Twiſs.) Is this the Room that you let particular Company into?

Twiſs. Yes, particular Acquaintance; the Girl being with him was the Reaſon of his being admitted.

Q. (to Margaret Jones.) Does the Priſoner lodge with you?

Jones. No, nor never did.

Q. Does he not lodge in your Houſe? Does he not frequent your Houſe?

Jones. Yes, but his general Return is about Ten o'Clock at Night.

Q. Are you the Perſon that the Bank Note was deliver'd to?

Jones. I was the Perſon that help'd to ſearch their Appartment for it; I took the Box where the Note was, from the Priſoner's Child.

Q. You made a Search for it; where did you find it?

Jones.

Jones. I took it out of the Priſoner's Daughter's Hand.

Q. When was it the Child gave you the Note?

Q. Was this Note in a Box?

Jones. I ſaw it ſtamp'd with the Bank Mark.

Q. Where was this Box?

Jones. I had the Box out of the Child's Hand: Before this, we had threaten'd to take her before Juſtice *De Veil.*

Q. Who us'd this Back Parlour?

Jones. One Mrs. *Chaff*; I lent it to her.

Court. And in that Appartment the Box was: What Size Box was it?

Jones. A little Snuff-Box.

[The Box was produced in Court.]

Q. Did ſhe tell you when this was? When was this?

Jones. The *Monday* following.

Q. Did you ever ſee the Child with this Box before?

Jones. Not before the Note was loſt.

Court. You ſay you ſaw the Box that the Child had, with the Note in it.

Jones. Yes.

Q. How could you diſcern it was a Bank Note in this little Box?

Jones. I knew it by the Fineneſs of the Paper.

Q. Did the Child fold it up, and lay it in the Box ſo ſmooth?

Jones. I can't tell.

Q. Who did you deliver the Note to?

Jones. Sir, I went to aſk Advice, then deliver'd it to Mr. *Iwiſs.*

Q. Who was in the Room with the Child when you took the Bank Note?

Jones. There was Mrs. *Chaff*, another Gentlewoman, and the Child.

Council for the Proſecutor. Mrs. *Jones*, pray explain an Expreſſion you had of Searching their Apartments: Did you examine the Child before the Priſoner was accuſed of the Note?

Jones. When the Child was with ſome other Children ſhe was crying for a Note that ſhe had loſt.

Council. Then all the Time the Confuſion was, the Child was looking for a Bank Note of 20 l. Did you not hear the Priſoner charg'd with it? Did he think the Child had got it? Did you hear the Child was ſuſpected? Was the Child examin'd then? I think the Box this Note was in, was ſmaller than what is produced. Pray how did the Note lay in the Box?

Jones. It was folded up in the Box.

Council. As ſoon as you ſaw it folded up, you knew it was a Bank Note: Pray how came you to take Notice of a Bit of Paper in a Box firſt?

Jones. There was good Reaſon when the Note was ſearch'd for.

Q. (*to Anne Pagget.*) Was you preſent when this Note was found?

Pagget. The Child ſaid ſhe threw it behind the Bed, in a little black Box; the laſt Witneſs went and ſearch'd behind the Bed, with Mrs. *Smith*, and they found it behind the Bed, that is all that I know of it.

Q. (*to Mary Philpot.*) What is the Priſoner's general Character?

Philpot. He has lodg'd with me; he never was out of his Lodging after Ten o'Clock; his Character is very good, I never heard any ill of him.

Q. How does he get his Livelyhood?

Philpot. He told me he was come to Town for his Preferment.

Priſoner. I have no leſs than the Promiſe of Mr. *Jefferys*, one of the Secretaries of the Treaſury, for a Place in the Stamp-Office.

Q. (*to Philpot.*) Has he now any Buſineſs?

Philpot. My Lord, he is waiting for a Place.

Q. (*to Joſeph Spendelow.*) How long have you known the Priſoner, and what is his general Character?

Spendelow. I never enquir'd that, my Lord; he employ'd me, and always paid me honeſtly.

Q. (*to George Wrench.*) How long have you known the Priſoner?

Wrench. I have known him theſe three Years, and I never heard any thing bad of him.

Q. (*to* ——— *Powell.*) How long have you known the Priſoner?

Powell. Three or four Years; I was once employ'd by him as an Attorney, and he paid me, *&c.*

Priſoner. My Lord, as to finding the Note, I hope you will indulge me: This Child, and another, were in the Coach-Yard. At the Time of my Accuſation, my little Child was ſearching about the Dunghill, and looking for the Bank Note ſhe had loſt with a Picture upon it.

Council for the Priſoner. My Lord and Gentlemen of the Jury; I would ſubmit it, whether a Perſon without any Colour of Fraud or Pretence, but with the Will of the Party, can be ſaid to have ſtolen the Note, or have taken it by Robbery; wherever a Perſon has once a legal Poſſeſſion, it could not be conſider'd as a Felony, as in the Caſe of *Waite.*

[It was anſwer'd, that *Waite*'s Caſe was different from this; that was the Caſe of *Eaſt-India* Bonds,

and

and he was entruſted by the Company; he had the Cuſtody of the Bonds, and upon the Evidence it did appear, that he embezzled theſe Bonds in his Cuſtody; and the Opinion of the Court in that Caſe was, that it was a Felony; and there is a Law made ſince that to make it a Felony. Guilty.

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271. **John Crips** was indicted for ſtealing 20 Lambs, the Property of *Mary Dell*, Widow, *William Dell* and *John Dell*, from their Grounds at *Welpley-Hill*, in the County of *Bucks*, the 12th of *June*.

Q. (*to William Dell.*) What is it you know of this Matter?

Dell. I loſt 20 Lambs, Sir, the 12th Day of *June laſt*.

Q. Where were they?

Dell. They were at *Welpley-Hill*, in the Pariſh of *Cheſham*, in *Bucks*.

Q. What, you live there, do you?

Dell. Yes, Sir.

Q. Whoſe Lambs were they?

Dell. Mine and my Brothers.

Q. Which of thoſe Lambs belong to you; how many belong'd to you?

Dell. About five of them belong'd to me, more or leſs.

Court. All 20 belong'd to your Brother and you; pray which of them were the Widow's?

Dell. She is my Mother, and we go on together.

Court. Now give an Account in relation to theſe Lambs.

Dell. We loſt them out of the Grounds the 12th of *June* laſt; I came up to *Smithfield* at Ten the next Morning, thinking they might be brought there; but I found them on the Road in *Henden* Pariſh, about the Five-Mile Stone.

Q. Was the Priſoner with them?

Dell. No, Sir.

Q. How do you know the Priſoner was concern'd in taking them?

Dell. I don't know any otherwiſe than I have been told.

Q. (*to John Bowden.*) What is it you ſay to this Affair?

Bowden. My Lord, as my Man was on the Road with a Drove of my Lambs, I overtook him and the Priſoner at the Bar.

Q. Had the Priſoner any Lambs?

Bowden. No, my Lord, none that I ſaw; he had a Scythe upon his Shoulder and a Bundle in his Hand.

Q. Where was it that you overtook this Man and the Priſoner?

Bowden. Juſt beyond the Seventeen-Mile Stone at *Watford*.

Q. What Day was this?

Bowden. On a *Wedneſday*, the 11th of *June*.

Q. What more have you to ſay?

Bowden. When I came up, my Man ſaid, now you may talk with my Maſter about your Lambs yourſelf; ſo *Crips*, pull'd off his Hat to me, and ſaid, How do you do Maſter *Bowden*? I ſaid, I do not know you; ſaid he, I underſtand you ſell Lambs at *London*; I wiſh I had known it, I would have brought a Lot of Lambs for you to have ſold for me. He told me he liv'd at *Aſton-Cliſton*; I ſaid that was a pretty Way; but he ſaid my Lambs are not kept at *Aſton-Cliſton*, they are at *Chesberg*; that Keeping was ſhort and the Butcher could take but few at a Time, and he wanted to ſell them all together. He ſaid, I have a good Mind to leave my Scythe and Bundle at your Houſe; I am a pretty good Walker, and if I can get away at Two or Three o'Clock I can bring them; and away he went, ſo I never ſaw any more of him. I went to *Hempſtead* Market on *Thurſday*. I aſk'd my Wife whether ſhe had ſeen the Man with the Lambs; I ſaid, I wiſh it is not a bad Thing. On *Friday* Morning I was at *Smithfield*; about Ten o'Clock Mr. *Dell* came to me; he ſaid to me, don't your Man *Peter* drive for you now? I ſaid yes; he aſk'd if any Body elſe drove Lambs for me; I ſaid, there is a Man come through *Edgworth* Turnpike, and had no Money; but ſaid he was bringing twenty Lambs to ſell at *Smithfield* Market for me. I ſaid to Mr. *Dell*, be ſo good as to go into the Alehouſe and I'll take Care of him; but he never brought the Lambs at all: I ſaid, we will go back to ſee if we can't find theſe Lambs. We came to ——— Bridge; the Man ſaid he ſaw a Fellow pelting them along with Stones, about Six o'Clock, very dirty and much tir'd. I told Mr. *Dell* we would ride up towards *Hendon*, where we heard nothing of them; but found them at laſt in the Road in *Hendon* Pariſh: When me met with them no Body was with them; but diſcovering they were his Lambs we drove them home.

Q. (*to Richard Sparks.*) What is it that you know of this Affair?

Sparks. I was Collector at *Edgworth* Turnpike Gate; the 13th Day of the Month a Man came with a Score of Lambs to the Gate, and I demanded the Toll; but he ſaid he had no Money; I told him that was no Excuſe, and aſk'd him who the Lambs belong'd to; he ſaid Mr. *Bowden*, and he would pay me; I ſaid it was very well.

Q. What were the Marks of thoſe Lambs?

Sparks.

Sparks. They were ſo dirty I could not ſee: I charg'd Mr. *Bowden* a Groat for them.

Q. Are you ſure the Priſoner drove them?

Sparks. Yes, I can ſwear the Priſoner drove them through the Gate.

Q. Did you ſee the Lambs at Mr. *Dell*'s?

Sparks. I ſaw them the next Day, and believe they were the very ſame; they were the ſame that Mr. *Dell* drove through the next Day.

Q. (*to William Durrant.*) What do you know of this Affair?

Durrant. Pleaſe you, my Lord, I was the Man that took him.

Q. When did you take him?

Durrant. Laſt *Monday* ſe'nnight, the 23d of *June*.

Q. Where did you take him?

Durrant. At *Stanmore*, Sir.

Q. (*to the Priſoner.*) What have you to ſay for yourſelf?

Priſoner. Pleaſe you, my Lord, I overtook *Dell* and *Bowden* upon the Road; they deſir'd me to drive the Lambs along and never overtook me.

Q. Have you any Witneſſes to call?

Priſoner. No, my Lord. Guilty **Death.**

272, 273. **Martin M'Lone** and **William Bruce** were indicted for aſſaulting *Thomas Smith* on the Highway, and taking from him a Peruke, a Silk Handerchief and 8 s. 10 d. in Money.

Q. (*to Thomas Smith.*) What are you?

Smith. I am a Poſt-Boy at the *Green-Man* at *Barnet*. On the 23th of *May*, in *Whitſon* Week, as I was coming from St. *Albans* to *Barnet*, between the 12 and 13 Mile Stone, in my Way down the Hill, ſeveral Men were walking in the Road before, I took them for Travellers; when I overtook them one came on one Side of the Chaiſe, two on the other, and two before the Horſes Heads. The Priſoner at the Bar was in a blue Coat with white Buttons and Button-Holes, and had Freckles in his Face. *Bruce* came to me and ſaid, d——n you don't look at me, let me have your Money; I ſaid, Gentlemen I will, don't uſe me ill, I am but a poor Poſt-Boy. They haul'd me out of the Chaiſe, and ſeeing the *Iriſh* Mail, ſaid they would not meddle with that; but they took my Wig and Handkerchief.

Q. What elſe?

Smith. They rifled my Pockets, and ſaid, let us take his Breeches.

Q. What did they do then?

Smith. They took 8 s. 10 d. from me. I ſaw a Gentleman coming towards *Barnet*, and immediately three or four of them went off to meet him, and ſeveral Blows paſs'd. They all ran off from me but one of them.

Q. How far was the Gentleman from you?

Smith. About twenty Yards.

Q. Did you know the Gentleman?

Smith. Yes, he keeps the *Cock* Inn at *Ouzy*, his Name is *Knight*. While they had him down one of them came to me and ſaid, G—d d——n you go along; another damn'd me and ſaid I ſhould not go: So I ſaid, Gentlemen, you need not be afraid of me, I won't betray you; with that they ſaid, go along, my Lad, as faſt as you can; ſo I drove up the Hill as hard as ever I could.

Q. Where was the Gentleman all this while?

Smith. Upon his Back, they knock'd him down. When I came to the Top of the Hill I met a Waggon, or Cart, and ſaid, Maſter, for God's ſake don't go down, there are Thieves at the Bottom of the Hill, you will certainly be rob'd. When I came to the Crown I ſaw a Light; I jump'd out of my Chaiſe and went into the Houſe. They aſk'd who was there. I ſaid, Gentlemen, pray go down, I believe there is a Gentleman murder'd at the Bottom of the Hill.

Q. Where was this?

Smith. At the Crown at *Kicks-End*; one *John Nickerſon* and two Soldiers were there; I believe they all went; I did not ſtay to go with them, but made the beſt of my way home.

Q. (*to the Priſoner.*) Will you aſk this Boy any Queſtions?

Priſoner. Pleaſe you, my Lord, I have no Queſtions to aſk him?

Q. (*to John Toby Reynolds.*) What do you know of this Affair?

Reynolds. My Lord, I know nothing of the Felony, only ſome Circumſtances while the Men were in Cuſtody. I live at *Barnet*.

Q. Where did you find them?

Reynolds. My Lord, they were in the Cage, theſe two and four more. They ſeem'd to be *Iriſhmen*. My Lord, we examin'd their Pockets, and found ſeveral Letters directed to Perſons in *London*, recommending them to Buſineſs, and a Horn which had a ſmall Quantity of Powder; after we had done that, the Poſt-Boy came into the Cage. I ſaid to the Boy, be careful what you do, look among them and ſee if any of theſe Men have rob'd you; then the Boy went directly into the Middle of them as they were in the Cage, and ſaid to *Bruce*, the

Priſoner, you are the Man: Says *Bruce*, I did not rob you. The Boy ſaid, you did not rob me, but you are the Man that preſented the Piſtol, and you are the Man that bid me not look in your Face.

Q. What did he ſay to that?

Reynolds. I don't remember, my Lord, what Anſwer he made.

Q. (*to Thomas Nichols*) Was you one of thoſe that purſu'd the Priſoner?

Nichols. Pleaſe you my Lord, I was at the *Crown* at *Kicks-End* when the Boy came in, and ſaid he was robb'd by ſeven *Iriſhmen*, and that they were murdering a Gentleman; and theſe Men we took upon Suſpicion.

Court. After this you purſu'd, Did you?

Nichols. Yes, my Lord, we went thither and purſu'd them; I was after four by myſelf; and when they ſaw me, they d——d me, ſaying, There is but one, ſhoot him: But when another Perſon came up they ran away, and we purſu'd and took them all.

Q. Do you know the Priſoner?

Nichols. They were both together when we took them.

Q. Where were they when you took them?

Nichols. In the Bottom by *Kicks-End.*

Q. What became of the other four?

Nichols. We brought them all before the Juſtice, but becauſe no one appear'd againſt them, he releas'd them.

Q. When you took them, then what did they ſay?

Nichols. Some ſaid they were come from *Ireland*, and wanted Work.

Q. Where did you carry them?

Nichols. We carried them to the *Crown* that Night, and they were carried afterwards before Juſtice *Haſſel.*

Q. Do you know any Thing farther?

Nichols. No, my Lord.

Q. (*to Aſbury*) Was you one of the Purſuers; do you know any Thing more than Mr. *Nichols* ſays; do you remember the two Priſoners?

Aſbury. I kick'd up *Martin M'Lone*'s Heels in the Field; when we went down there were five of us together: I ſaid to my Partner, let us go over-againſt the Waggon, leſt they ſhould ſee us.

Q. Are you ſure that *M'Lone* was the Man you trip'd up?

Aſbury. Yes, my Lord.

Q. What do you ſay of the other Man?

Aſbury. Theſe two were taken with the ſix.

Q. (*to Bruce*) Now is the Time to make your Defence; the Poſt-Boy charges you with the Robbery.

Priſoner. Pleaſe your Honour I came out of *Ireland* to look for Work, I was ſcarce of Money, and was returning Home; I lay at the Upper End of *Barnet*; I would have paid for Lodging, but they ſaid I was an *Iriſhman* and they would not let me have any. We were very cold when the Day-light came; as we were cold we ſaid to one another, we had better be going to *Coventry*, to get what would carry us Home. *Martin M'Lone* Acquitted. *Bruce* Guilty **Death.**

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274. **Johannah Wood** was indicted for coining 30 Pieces call'd Shillings, and one Piece call'd a Half Cown, *&c.*

Council. I am Council in this Cauſe for the Crown; the Priſoner at the Bar ſtands indicted of High Treaſon, for counterfeiting the current Coin of theſe Realms; it is unneceſſary for me to tell you, Gentlemen, that it becomes the Prerogative of the Crown to take Care of the Coin of the Kingdom; it will be needleſs to mention to you the Inconveniency and Injury that muſt accrue by theſe counterfeit Pieces, as Shillings and Half Crowns, which generally fall hard among the poorer Sort of People: The ſingle Queſtion will be, whether the Priſoner at the Bar has been guilty of the preſent Offence or not; and, Gentlemen, as ſhe ſtands indicted for actual coining, I ſhall candidly admit we have no Evidence preſent at the Time of Coining; I don't apprehend it is neceſſary; becauſe Perſons going to commit an Offence of ſo high a Nature, will hardly call Witneſſes at the Time when they commit the Offence; I ſhall only relate the Circumſtances, Gentlemen, and when I have open'd the Nature of our Evidence there will appear Reaſon to believe that the Priſoner at the Bar has been guilty of the Offence for which ſhe is indicted: The Cauſe of our Suſpicion was upon this Occaſion; ſhe went to a Perſon that ſold *Straw* and *Leghorn* Hats, I think the Agreement was for 18 d. after that Agreement had been made ſhe gave Half a Crown for the Payment of this Hat; that Half Crown was a counterfeit one; on finding this out ſhe was immediately carried before a Magiſtrate, I believe our preſent Lord Mayor, and for that was committed; that giving Occaſion a little to enquire into her Life and Converſation; ſhe has acknowledg'd, as I am told, and I have to prove, that ſhe has been guilty of theſe Sorts of Offences for 25 Years paſt; but that is not the Caſe for which ſhe

is

is indicted, but for actual coining, Gentlemen; as for that Half Crown which she has utter'd she may possibly be to answer for on another Occasion, tho' that may be a material Circumstance to convict her of the Offence she is now charg'd with. The Solicitor for the Crown, who is concern'd for the *Mint*, and whose Duty it is to bring all Persons who have committed Offences of this Kind to Justice, being inform'd that if he went to the Prisoner's Lodgings he would not only find a great Quantity of counterfeit Money, but the Tools by which the said Money was conterfeited, and was likewise directed to turn up a board at the Foot of her Bed, where the said Tools were conceal'd; accordingly he went to the Place as directed in the Information that had been given him, and taking up the Board found there a good Number, above thirty Shillings actually coin'd and counterfeited, and this Half Crown; the Reason I mention the Half Crown is, that it exactly tallied and was certainly struck in the same Mold with that which was put off by the Prisoner at the Bar, therefore that will be some Circumstance to induce you to believe that the Prisoner at the Bar was the Person that coin'd them. We will call our Witnesses to shew that this Woman was first committed for vending this Half Crown; and her Confession shews that she has long been concern'd in Practices of this Nature.

Q. (to ——— Hudson) Do you know the Prisoner at the Bar? Did she lodge at your House?

Hudson. Yes, at my House the next Door to *Gray's-Inn-Lane* Workhouse.

Q. In what Room did she lodge there?

Hudson. In two Rooms up one Pair of Stairs.

Q. When did she lodge at your House? Did she lodge there before the 1st of *May?*

Hudson. She came the 6th of *March.*

Q. Did she lodge there the 1st, 2d, 3d or 4th of *May?*

Hudson. She was not there; I think she lay out the last Day of *April.*

Q. Were the Lodgings her's after that?

Hudson. I can't tell how it was between her and the other Woman; they took them together as I took it.

Q. Do you remember the Time that this Woman was taken up for uttering a Bad Half Crown?

Hudson. I never knew it 'till Mr. *North* came to our House the 6th of *May.*

Q. What did Mr. *North* come there upon?

Hudson. Mr. *North* and another Gentleman and the Constable came there the 6th of *May.*

Q. How long had she lodg'd there?

Hudson. About seven Weeks; and the back Room was the Room where she lay.

Q. Did the other Woman continue to be there after the 1st of *May?*

Hudson. Sir, she was acquitted by my Lord Mayor, she lodg'd there one Night and no more.

Q. What Night was that?

Hudson. The Day that she was acquitted by my Lord Mayor.

Q. Which was the Night the Prisoner at the Bar left your Lodgings, and did not come home?

Hudson. Neither of them came home that Night.

Q. Did Mr. *North* come to your House?

Hudson. Yes, my Lord; I saw several Things; there were some Pieces of bad Money.

Q. Pray what else?

Hudson. There were two large white Papers.

Q. What was in them?

Hudson. I cannot say, there were some Materials took out, Instruments of Coining.

Q. What?

Hudson. I can't tell. There were other Instruments taken out that Mr. *North* saw; there were Shillings and a Half Crown which the Gentlemen let me see.

Q. (to the Prisoner) Have you any Thing to say to this Witness?

Prisoner. The Woman took the Room; I had no Concern in taking it.

———*North.* My Lord, as to the Prisoner at the Bar, I have known her some Years, and she has been under frequent Prosecutions for uttering of counterfeit Money.

Court. Pray Mr. *North* keep to Fact.

North. I will. On the 5th or 6th Day of *May* I receiv'd a Letter by the Penny-Post without any Name, that inform'd me that if I went to Mrs. *Wood's* Lodgings, at Mr. *Hudson's* House, and took up a Board at the Feet of her Bed, I should there find several of her Materials; accordingly I took a Person along with me, who is now in Court, to be an Assistant, and we went to the Lodgings and took up the Board mention'd in the Letter; he said here are the Things: I saw him take out of the Place this Pair of Flasks, in which the Earth is contain'd, and these two Pieces of Metal.

Q. What Metal do you call it?

North. Grain Tin, the better Sort: These Shillings were wrapt up in a separate Paper, in the Condition they are now, which we take to be finish'd.

Q. How many were there of these Shillings?

North.

North. I believe about 31 or 32. Among the reſt of the Things, were theſe other counterfeit Shillings, quite finiſh'd, and this Half Crown, my Lord.

Q. (*to Philip Shearer*) Are you the Conſtable?

Shearer, Yes.

Q. Did you go to ſearch the Lodgings of Mrs. *Wood*? What did you find there?

Shearer. At the Foot of the Bed, there was a Board about 18 Inches long and nine broad, it was cut ſo artfully that the Nails came up with the Board; I ſaid, Here's the Neſt. I took out, I think, thirty-ſix Shillings, a Half-Crown, and a Mould, that Mr. *North* ſaid they caſt their Money in.

Q. (*to Mr. North*) Is this the ſame?

North. Yes, I have had it in my Cuſtody ever ſince.

Q. (*to Diana White*) Do you know the Priſoner at the Bar?

White. I know her to be the Woman that gave me the bad Half-Crown. She came into my Houſe in *Newgate-Street*, to buy a Hat, about ſix Weeks ago, and paid me with the bad Half-Crown: With that I took hold of her, and ſaid, You are a Coiner; then I ſaw her begin to convey ſomething to another. I ſaid, I'll ſearch you.

Q. What did you do with the Half-Crown?

White. The Conſtable has it.

Q. (*to Mr. Welſh*) Had you the Counterfeit Half-Crown deliver'd to you by that Woman?

Welſh. Yes, my Lord, and a Shilling likewiſe.

Q. (*to Mr. North*) Is that a Counterfeit Half-Crown?

Q. Yes, and exactly the ſame Die, *&c.*

This Evidence could not convict the Priſoner of High Treaſon; but ſhe is order'd to remain, to be try'd for uttering of falſe and counterfeit Coin, which is a *Miſdemeanor*.

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275. **Richard Barton** was indicted for ſtealing a brown Peruke, the Property of *John Birch*, the 21ſt of *May*. Acquitted.

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276. **Agnes Brown** was indicted for ſtealing one Linnen Sheet, Value 10 s. one Dimity Waiſtcoat, a Holland Frock, and one Holland Shift, the Goods of *Abraham Julian*, the 1ſt of *January*. Guilty.

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277. **William Muir** was indicted for ſtealing, on the 27th of *May*, fifty Pounds of Lead, the Goods and Chattles of *Anthony Nor*. Guilty, 10 d.

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278. **Mary Cary** was indicted for ſtealing a Pair of Diamond Ear-Rings, and fifty-one Chip Hats, a ſmall Piece of Silver, and a Dimity Stomacher, the Goods of *Angel Carney*, in the *Haymarket*, the 13th of *May*. Acquitted.

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279. **Thomas Anderſon** was indicted for ſtealing two Gowns, one Linſey-Woolſey, the other Stuff, a Linnen Apron, a Cap, a Linnen Handkerchief, in all the Value of 5 s. the Goods of *Ann Elſworth*. Guilty.

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280. **Eliſha Williams** was indicted for ſtealing two Linnen Handkerchiefs, the Goods of *James Heughs*. Guilty.

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281. **Edward Vaughan** was indicted for ſtealing one Camblet Coat and a Pair of Boots, the Property of *William Henſon*, *May* the 31ſt. Guilty.

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 8.

John Humphrys	241	*George Thomas*	267
John Stephens	242	*Thomas Bird*	269
John Jennings	243	*John Criſp*	271
John Short	266	*William Bruce*	273

Receiv'd Sentence of Tranſportation for 7 Years, 10.

John Dodſon	245	*Alice Butler*	259
Hannah Davis	246	*John Freeman*	262
Hannah Hurſt	247	*John Smith*	270
James Searle	250	*Thomas Anderſon*	279
Edward Davis	251	*Eliſha Williams*	280

To be Whipp'd 4.

Jane Heward	248	*William Muir*	277
Agnes Brown	276	*Edward Vaughan*	281

Johanna Wood 274, order'd to remain.

Next enſuing Seſſions to begin,

On *Monday*, *September* 1, at *Guildhall*.
On *Wednesday*, *September* 3, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 3d, THURSDAY the 4th, and FRIDAY the 5th of *September*,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Seventh SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VII.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

(Price Six-pence.)

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London, &c.*

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, JOHN STRACEY, Eſq; Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
Thomas Parker,	*Thomas Nicholls*,
John Wilkins,	*Ralph March*,
George Cooper,	*Francis Page*,
George Sallis,	*Joſeph Finch*,
John Lacy	*Richard Haley*,
William Turney,	*Henry Briſtow*,
Thomas Griffith,	*Samuel Lock*,
Joſeph White,	*John Pye*,
John Bickerton,	*Joſeph Surety*,
John Waite,	*Samuel Cheſter*,
Richard Chapman,	*Iſaac Mencelin*,
Thomas Lock.	*Thomas Walker.*

282. **Barney Linſey** was indicted for aſſaulting *William Dunn* and ——— *Ambler*, putting them in bodily Fear, and robbing the ſaid *William Dunn* of a Watch, and *Ambler* of a Coat, Breeches, *&c.* on the 29th of *June*.

Q. *(to Ambler)* What have you to ſay againſt the Priſoner?

Ambler. On *Sunday* the 29th of *June*, as I was coming from *Hamſtead*, between Nine and Ten o'Clock at Night, I was ſet upon by ſeven Men, in the ſecond Cloſe on this Side Figg-Lane; after they had paſs'd me they all turn'd ſhort and gave me ſeveral Blows (with Bludgeons) on my Body, Head and other Parts; I made Reſiſtance, but when they had maſter'd me they led me to the Ditch; in the Scuffle I loſt my Hat and Wig.

Q. When they had got you into the Ditch, what did they take from you?

Ambler. My Cloth Coat, a Cambrick Stock, a Silver Buckle, *&c.* They robb'd Mr. *Dunn* at the ſame Time.

Q. Was that in your Sight?

Ambler. Yes. They robb'd Mr. *Dunn* of his Watch; then they turn'd to me again and took my Breeches.

Q. What were they?

Ambler. Black Leather Breeches. They took my Shoes and alſo Mr. *Dunn*'s Shoes; then they went away; but ſoon return'd again and took my Shirt from my Back; they had taken my Stock the firſt Time. On *Friday* the 4th of *July* I ſaw, in the *Advertiſer*, the Advertiſement of a Watch that was ſtopp'd by Juſtice *Dennis*'s Clarke; by the Deſcription I knew it was Mr. *Dunn*'s Watch; the Watch was found upon *Parkiſon*, a Soldier, who was then committed to Priſon. I went to *New-Priſon* to this Soldier, and I charg'd him with the Robbery.

Q. You did not ſee the Watch then?

Ambler. No.

Q. What Robbery did you charge him with?

Ambler. With robbing me the *Sunday* before; but he ſaid he was not in the Robbery; I aſk'd him then how he came by the Watch; he ſaid he had it from *Barney Linſey*, the Priſoner at the Bar.

Q. Where was it that you ſaw the Priſoner?

Ambler. At Sir *Thomas De Veil*'s.

Q. When was it you ſaw him at Sir *Thomas De Veil*'s?

Ambler.

Ambler. I can't directly ſay, but I think about a Fortnight ago.

Q. Are you ſure the Priſoner is the Man?

Ambler. He is the Man.

Court. Now inform us what you heard him ſay concerning this Robbery?

Ambler. He ſaid he was concern'd in the Robbery, and that he gave me Water to drink out of the Brim of his Hat.

Q. Had you Water given you?

Ambler. Yes.

Q. Did he ſay he was the Man, or one of the Men?

Ambler. That he was one of the Men; he alſo ſaid there was one of them ſwore he would deſtroy me, and that he was the Man that prevented him from giving the Blow; and another of them deſir'd him to murder me, ſaying, that it was better I ſhould die than they.

Court. Then he poſitively declar'd that one of the Men would have murder'd you and he prevented it.

Ambler. Yes. And he told me the Name of the Perſon who wore my Coat was *Ryly*.

Q. Did he mention whether *Ryly* was in the Robbery?

Ambler. Yes, Sir; and that one *Mathews* was in the Robbery alſo.

Q. (*to William Dunn*) Do you know the Priſoner at the Bar?

Dunn. No Sir.

Q. Have you any Thing to lay to the Priſoner's Charge with reſpect to the Robbery committed on *Sunday* the 29th of *June?*

Dnnn. I was robb'd then with Mr. *Ambler.*

Q. What Time of the Night?

Dunn. Between the Hours of Nine and Ten.

Q. Where was it?

Dunn. In the Foot-Path between *Mother Red-Cap*'s and *Southampton-Row.*

Q. Who was it that robb'd you?

Dunn. I think there were nine in Company: Mr. *Ambler* was attack'd firſt; I might be about ten Yards behind; I haſten'd up to Mr. *Ambler* and found a Party of them attacking him.

Q. What had they in their Hands?

Dunn. They had Scymeters and Sticks; I heard one of them call it a Scymeter. I haſten'd up to him, then another Party of them enclos'd me: *Ambler* defended himſelf as long as he could; he had a Cane in his Hand, and they had a great deal of Difficulty to get it from him.

Q. Did you ſee them rob him of any Thing?

Dunn. I ſaw them take off his Coat; nothing elſe.

Q. Did they go away then?

Dunn. No, Sir. After they had rifled him they went about ten Yards diſtant, then they came back again and took his Breeches and Shoes from him.

Q. Was you before Sir *Thomas De Veil* when the Priſoner was there?

Dunn. Yes. And he deſir'd to ſpeak to Sir *Thomas* privately; ſo Sir *Thomas* went with him into a private Room. Sir *Thomas* told me the Man wanted to turn Evidence; I ſaid to Sir *Thomas* I ſhould be glad to aſk him ſome particular Queſtions touching the Robbery; ſo I traced him thro' the whole Robbery, and he told me all the particular Circumſtances of it, who they firſt attack'd and what they took.

Q. Was there any Promiſe made to the Man of a Pardon in caſe he would confeſs.

Dunn. None at all, he offer'd himſelf voluntarily; he ſaid he gave me Water out of the Ditch in his Hat.

Q. But what did he ſay about the Robbery? Did he confeſs that he was one of the Perſons?

Dunn. He ſaid he was.

Q. Was you the Perſon that had Water given you?

Dunn. Both of us had Water. I loſt a Snuff-Box and Tweezer-Caſe; I aſk'd him if he knew where they were, if they had pawn'd them I would redeem them; he told me they buried them in the Ground, and the next Morning a Party of them went to fetch them, and he knew nothing more of them.

Q. Mr. *Dunn*, what Robbery did he own he committed?

Dunn. He ſaid he was one that robb'd us.

Q. Was there any Thing ſaid before Sir *Thomas* about Mr. *Ambler*'s Coat?

Dunn. He ſaid that one *Ryly* had it.

Q. (*by the Priſoner*) Mr. *Dunn*, was it I that robb'd you?

Dunn. I don't ſay you did.

Priſoner. Thoſe two Gentlemen gave me Liquor, and made me ſo drunk that I don't know what I ſaid; Mr. *Ambler*, did not you give me Sixpence, *&c.*

Ambler. I did; I went on *Sunday* Morning and gave him Sixpence; I ſaid if he made good his Confeſſion he ſhould not want a *Sunday*'s Dinner while he was in Priſon.

Priſoner,

Priſoner. Mr. *Ambler* promiſed that he would get my Pardon.

Ambler. I might ſay I would be a favourable Proſecutor if he would make Diſcoveries, &c. but none of the Perſons he nam'd could be found.

Q. (*to John Sergeant*) What are you?

Sergeant. I am a Butcher by Trade; I was one of the Perſons that took him.

Q. Where did you take him, and upon what Occaſion.

Sergeant. Upon *Parkiſon*'s Confeſſion, the Soldier.

Q. Where did you take him?

Sergeant. In *King-Street, Bloomſkury.*

Q. After you had taken him what did you do with him?

Sergeant. We brought him to the Publick-Houſe oppoſite the Place.

Q. Do you know any Thing of this Robbery?

Sergeant. He own'd before Sir *Thomas De Veil* that he had robb'd Mr. *Ambler* and Mr *Dunn.*

Q. Was there any Promiſe of Pardon for being an Evidence.

Sergeant. None that I know of.

Q. Was he ſober at that Time?

Sergeant. He ſeem'd as ſober as I am, my Lord.

Q. What Time did you take him before Sir *Thomas?*

Sergeant. About Ten o'Clock in the Forenoon.

Q. (*to the Priſoner.*) What have you to ſay in your Defence?

Priſoner. Pleaſe you, my Lord, I know nothing about it; he is a Thief-catcher, and will ſay any thing on account of the Money.

Sergeant. You are the firſt Thief that I ever caught.

Q. (*to the Priſoner.*) Have you any Witneſſes?

Priſoner. I have no Witneſſes. **Death.**

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283. **John Wickham** was indicted for breaking open the Houſe of *Alexander Chatto*, and ſtealing from thence ten Buck and Doe Skins, on the 6th of *July.*

Q. (*to Alexander Chatto.*) What have you to ſay againſt the Priſoner?

Chatto. On *Sunday* Morning, about Two o'Clock, my Shop was broke open by the Priſoner, according to his own Confeſſion, and other Circumſtances.

Q. Where is your Shop?

Chatto. In *Broad-Street*, by *Ratcliff-Croſs.*

Q. What did you loſe?

Chatto. Ten Buck and Doe Skins altogether.

Q. Do you know who it was that broke open your Houſe?

Chatto. I did not know at that Time; but I took a Ride into *Kent* in purſuit of the Priſoner, who was my Journeyman.

Q. How long had he been your Journeyman?

Chatto. He work'd with me only a Fortnight.

Q. When did you diſcharge him?

Chatto. The *Thurſday* before. I took Horſe and purſu'd him into *Kent*; I ſtopp'd at a Place call'd *Walling*, and aſk'd there if they had heard of any ſuch Man; (becauſe I had an Information that he was going to ſet up at a Place call'd *Dartford*) one ſaid, as you deſcribe the Man, there was ſuch a Perſon paſs'd by here about Eleven o'Clock on *Sunday*, with a large Bundle on his Back, and I think I ſaw Skins: I had not been above 100 Yards in the Town when I paſs'd a little Shop, a ſort of a Taylor's, and ſomething of Leather likewiſe, and ſaw a Man ſkulk behind the Shop-board; whereupon I alighted from my Horſe, and perceiving it to be the Priſoner, I ſaid to him, *John*, when came you hither; he anſwer'd, on *Saturday.*

Q. What Day was this?

Chatto. On *Tueſday.* I ſaid to him, will you go and drink? He ſcarce would ſpeak to me; but we went into a Room and I lock'd the Door; then I tax'd him with the Affair and he deny'd it; I ſent for a Conſtable, and told him it ſignify'd nothing talking, for that he had robb'd me; he then heartily begg'd my Pardon. I aſk'd him what he did it with, he ſaid he did it with a Knife and Chiſel: Then I aſk'd him where the Goods were, and he told me they were at *Dartford*, at his Mother's; I bid him ſend for them; he ſaid he could not write; but I ſaid I would write for him, and aſk'd him where they were; he ſaid in a Bag in the Cloſet. I got a Man to go, and he brought the Goods to the Conſtable, where the Priſoner then was.

Q. Have you got the Goods here?

Chatto. They are at the *Baptiſt*'s *Head*; I will ſend for them.

[The Goods were produced in Court, and the Priſoner confeſs'd that with a Knife and Chiſel he cut ſome part of the Grove, then wrench'd it off, took down the Shutter and thruſt up the Saſh, and took out the Goods about Two o'Clock in the Morning.]

Q. What did you do with him when you took him?

Chatto. We took him before the Juſtice.

Q. What material paſs'd before the Juſtice?

Chatto.

Chatto. He ſaid he was the Perſon that broke open the Shop with a Knife and a Chiſel. The Juſtice took his Confeſſion in Writing.

Q. Was there any Promiſe of Pardon before the Juſtice?

Chatto. No.

[The Writing was produced in Court, entitled, The Examination of *John Wickham*, before *Samuel Malcher*, Eſq; one of his Majeſty's Juſtices of the Peace, on the 9th Day of *July*. This Examinant ſaith he has a Wife and one Child in the Pariſh of *Dartford*, and his Wife is now big with another Child; he confeſſes that he liv'd a Journeyman with *Alexander Chatto*, Glover, a Fortnight; that he broke open his Maſter's Shop on *Sunday* laſt, and ſtole ſeveral Buck and Doe Skins, *&c.*]

Q. *(to the Priſoner.)* What have you to ſay for yourſelf?

Priſoner. I never did any ſuch Thing before. Guilty.

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284. **Philip Allen** was indicted for ſtealing a Pair of Silver Shoe-Buckles, a Pair of Metal Knee-Buckles, Half a Guinea in Gold and twelve Shillings in Silver, *&c.* the Goods of *Jonas Brend*, in the Houſe of *Joſeph Terry*, in *King's-Street*, *Weſtminſter*.

Q. *(to Jonas Brend.)* What have you to ſay againſt the Priſoner?

Brend. Pleaſe you, my Lord, he took the Things out of my Breeches, from under my Head.

Q. Where do you live?

Brend. Pleaſe you, my Lord, I lay at Mr. *Terry*'s Houſe that Night.

Q. What did you loſe?

Brend. I loſt Half a Guinea in Gold, twelve Shillings in Silver, a Pair of Silver Shoe-Buckles, and a Pair of Metal Knee-Buckles.

Q. When did you loſe them?

Brend. I loſt them the 7th Day of *July*, between Twelve and One o'Clock in the Morning.

Q. Have you any Thing to ſay to the Priſoner?

Brend. I was aſleep when I loſt them: Two other Perſons lay in the Room with me.

Q. Did the Priſoner lie in the Room?

Brend. No, my Lord, he lay a Pair of Stairs higher; the Men that lay in that Room heard ſomething chink, and ſaid one to the other, I believe the Marine is robb'd.

Q. Have you found the Things again?

Brend. The Shoe-Buckles we found upon the Priſoner.

Q. What Houſe was this where you lodg'd?

Brend. At the *Horſe and Drum* in *King's-Street*, *Weſtminer*.

Q. How long after you loſt them was it before you found them upon the Priſoner?

Brend. About a Quarter of an Hour.

Q. *(to Joſeph Terry.)* Where do you live?

Terry. I live at the *Horſe and Drum* in *Weſtminſter*.

Q. Did the Proſecutor, *Brend*, lodge at your Houſe in *July* laſt.

Terry. Yes.

Q. Do you know of any Things that were taken from him?

Terry. Yes, my Lord; I know of Half a Guinea, twelve Shillings and Two-pence, a Pair of Silver Shoe-Buckles, a Pair of Knee-Buckles, and I think a Pair of Garters; it was of a *Sabbath Day* Night, the 5th of *July*; my Wife and I were gone to Bed, not thinking any thing of being robb'd, or of the Priſoner, for I took him to be a very honeſt Man. After I was in Bed the Proſecutor came down and knock'd at my Door: I ſaid to my Wife, pray don't let any Body have any more Beer to Night, for 'tis late; the Man ſpoke to me through the Key-Hole; my Wife ſaid to me, get up, this poor young Fellow is robb'd by ſomebody, I can't tell who; ſo I got up and went down to the Watchman to light a Candle.

Q. Then the Man complain'd of his being robb'd.

Terry. Yes, he came down very ſoftly for fear of being diſcover'd: As I had two Soldiers lodg'd upon me, I charg'd them with the Robbery; I told them this Man had been robb'd, and I muſt know who it is that had robb'd him. The Soldiers got up at once, but I did not examine their Pockets. I took a Candle, and went into the Room where this Man was a-bed; there was another Man, a Corporal; he ſaid, he had heard ſome Money chink; ſo I ſaid to this *Philip Allen*, You muſt get up too, to be examin'd; for I had no more Suſpicion of one than the other: Accordingly he riſes up, and ſaid he wanted to ſpeak to me; I aſk'd him what he wanted, and went into a little Cloſet, and he down'd upon his Knees to me; God bleſs you, ſaid he, don't tell my Serjeant, and I will tell you where the Money is: I told him I would not tell his Serjeant, becauſe I wanted to bring the Thing out; ſo he confeſs'd the Fact. I ſaid to him, What did you do this Thing for? He ſaid, he had got the Foul Diſtemper, and he got that Money on purpoſe to get him cur'd. He went back to the Bed where he lay, and he took the twelve Shillings

and two Pence, and Half a Guinea; he took it from between the Bed and the Sacking. I ſaid to him, Have you got a Pair of Buckles, young Man? he ſaid, Aye, I'll find them out; at laſt he brings out two Pair of Buckles.

Q. What were theſe Buckles?

Terry. The Shoe-buckles were Silver, the other common Metal.

Q. (to the Priſoner) Have you any Queſtions to aſk the Witneſs?

Priſoner. Aſk him how honeſt I behav'd in his Houſe when the Serjeant got drunk, *&c.*

Terry. He always behav'd honeſt, as I thought; I had a good Opinion of him.

Q. (to the Priſoner) What have you to ſay for yourſelf, by way of Defence; or have you any Witneſs to your Character?

Priſoner. My Lord, I lodg'd in this Mr. *Terry*'s Houſe; and, as I was going to Bed, I had a Candle in my Hand, and found theſe Things in my Way. I did not put the Money into my Pocket, but laid it on the Bed 'till I ſhould hear ſome Body enquire for it. I heard them make a Noiſe, examining the Soldiers; and I was getting up at the Time Mr. *Terry* came into the Room; I told him I had the Money and the Buckles; I call'd to him, and gave them to him; I did not ſteal, nor break or pick a Lock. If I had a Mind to commit a Robbery, I had had a greater Opportunity, which I did not. Guilty, 39 s.

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285. **Anne Ellingworth** was indicted for picking the Pocket of *Terence King*, of an Iron Tobacco-Box, containing between three and four Pounds in Money, the 22d of *July* laſt.

Q. (to Terence King) What have you to ſay againſt the Priſoner?

King. The Priſoner invited my Wife and I to drink Share of a Pot of Beer with her.

Q. Where did ſhe invite you to?

King. To the *Caſtle*, by the *Seven Dials*.

Q. Where did ſhe meet with you?

King. At my own Door; we had two or three Words there; ſhe ſtood at the Door and call'd me Names. It was on *Tueſday* Night, the 22d of *July* laſt, that we had thoſe Words. She went to Sir *Thomas* to get a Warrant for me; ſhe went late, and he was at Supper, and would not grant it to her. I follow'd her to vindicate my own Cauſe. Sir *Thomas* adviſ'd me to go and take a Pot of Beer with her, and make it up. As we were coming back from Sir *Thomas* we went into an Alehouſe, *&c.* My Wife ſaw her pick my Pocket, and I found it upon her.

Q. Where did you go to make it up?

King. We went firſt to the *Brown Bear* in *Bow-Street*. As we went towards home ſhe aſk'd my Wife to lend her Three-half-pence, and to drink Part of a Pot of Beer, and ſhe would be Three-half-pence. She pick'd my Pocket at the *Caſtle* near the *Seven Dials*.

Q. Where was all that Money?

King. In a Tobacco-Box; there was forty-eight Shillings in Silver, and a Guinea in Gold. She was diſcover'd immediately. She offer'd me the Guinea back at the very Beginning.

Q. Where was the Box?

King. The Box ſhe wanted to convey into my Pocket; I made her lay it down.

Q. Where are the eight and forty Shillings?

King. Sir *Thomas De Veil* has got the Money. She ſaid, when ſhe was carried to the *Round-Houſe*, that all ſhe had above ſix Shillings and ſix Pence was my Property. She told me, before I call'd the Watch, if I laid Hands on any of the Money ſhe would hang me. There was but twenty Shillings in Silver, I found, and a Guinea in Gold.

Q. (to the Priſoner) Will you aſk any Queſtions?

Priſoner. Aſk him where the Box was taken from, and who ſaw the Box in my Hand?

King. The Box lay in my Right-hand Pocket, and my Wife ſaw her take it.

Q. (to William Barker) What do you know of this Matter?

Barker. All that I know is, that ſhe was brought to the Watch-Houſe on my Watch Night, the 22d of *July*, between the Hours of Eleven and Twelve.

Q. What then?

Barker. When ſhe was brought there ſhe was charg'd, by Mr. *King*, with robbing him of between three and four Pounds, and a Tobacco-Box.

Q. Was that Box produced at that Time?

Barker. Not at that Time, but before Sir *Thomas De Veil*, the next Morning.

Q. Who produced it?

Barker. Who produced it I can't ſay; the Watchman ſaid he had taken the Guinea in Gold from her before ſhe came to the Watch-Houſe: After ſhe came there, I aſk'd her if ſhe had any more of the Man's Money? ſhe ſaid ſhe had but ſix Shillings and ſix Pence of the Half-Guinea: ſhe ſaid ſhe chang'd at the *Brown Bear* in *Bow-Street*; whereas ſhe pull'd out eight and twenty Shillings in Silver:

She

She ſaid, I have ſix Shillings and ſix Pence of my own; and the other I will leave with you, for 'tis none of my own.

Q. What paſs'd before Sir *Thomas?*

Barker. The Priſoner could not make any Defence; but ſaid ſhe did not know how the Money came into her Pocket.

Q. (to the Priſoner) Would you have the Conſtable aſk'd any Queſtions?

Priſoner. My Lord, I would aſk him one Queſtion. Did I not ſay theſe Words when I came into the *Round-houſe*, that I had Twenty-ſeven Shillings and a Guinea?

Q. (to Barker) She would aſk you beſides the 6 s. 6 d. if ſhe had not half a Guinea in Gold?

Barker. She did not ſay ſo then, but the next Morning ſhe brought a young Woman to ſay ſhe had lent her a Moidore to pay for ſome ſmall Trifles, but ſhe never ſpoke about this until the next Morning.

Q. How began this Quarrel?

Priſoner. Terence King's Wife went to put her Hands up my Coats, and I did not like it from a Woman's Hands; having ſome Words, ſhe wanted me to go and drink a Dram; ſhe went to clap her Hands up my Coats. I had never knew ſuch Doings from our own Sex; with that the Huſband went to ſtrike me. My Neighbour told me that he, *Terence King*, went to fetch a Warrant for me; with that I went down to Sir *Thomas De Veil*'s to fetch a Warrant for him.

Q. to Richard Curtane. What are you?

Curtane. My Lord, I am a Watchman. I was call'd to the Sign of the *Caſtle*, where I ſaw Mr. *King*, the Proſecutor, and this Woman, the Priſoner. She ſaid if ſhe had any Guinea in her Pocket, it was his, for he had charg'd her with robbing him of Forty-eight Shillings and a Guinea in Gold.

Q. Any Thing elſe beſides Money? any mention of a Tobacco Box?

Curtane. No, my Lord, not then; it was the Wife that mention'd he had been robb'd; ſhe call'd out Watch, Watch, my Huſband is robb'd: I ſaid where is the Perſon that robb'd him. The Priſoner ſaid, that if ſhe had a Guinea in Gold, it was his; with that ſhe put her Hand in her Pocket, pull'd out a Handful of Silver, and ſaid if ſhe had a Guinea in Gold, it was his.

Q. Did ſhe ſay any Thing how ſhe came by it?

Curtane. No, but Mr. *King* ſaid that ſhe had robb'd him.

Q. Was the Proſecutor ſober?

Curtane. He was not ſober, nor was he drunk; he was between drunk and ſober, but I think his Wife was ſober.

John Couſins. I am a Watchman belonging to the ſame Walk.

Q. to Couſins. What do you know of this Matter?

Couſins. Between Eleven and Twelve o'Clock I heard a Noiſe at the *Caſtle*, ſo I went to hear what was the Matter. When I came I ſaw the Man of the Houſe, *Bartlet*, holding of the Priſoner, who ſaid, you B——h you have robb'd this Man. Mr. *King* ſaid he was robb'd of 48 s. in Silver, and a Guinea in Gold. The Priſoner ſaid if ſhe had a Guinea in Gold in her Pocket, it belong'd to that Man, ſo ſhe pull'd it out herſelf.

Q. (to the Priſoner) Will you aſk him any Queſtions?

Priſoner. Pleaſe you, my Lord, to aſk him if the Proſecutor's Wife was there, and what Condition ſhe was in?

Couſins. The Woman was fuddled, but the Proſecutor was neither fuddled nor ſober.

Priſoner. Pleaſe you, my Lord, Mrs. *King* and I had ſome Words; as I ſtood at the Door ſhe clapp'd her Hands up my Coats: I ſaid I was never uſed ſo by a Woman, I don't know what you mean by it; ſo *King* and his great Brother-in-law, an *Iriſhman*, was about to ſtrike me. Acquitted.

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286. **Margaret Smith**, otherwiſe **Fletcher**, was indicted for ſtealing one Linnen Gown, and one Linnen Cap and Handkerchief, *&c.* the Goods of *Sarah Bell*, the 23d of *Auguſt*.

Q. (*to Sarah Bell*) What have you to ſay againſt the Priſoner?

Bell. Pleaſe you, my Lord, ſhe went up (three Pair of Stairs) into my Room, and took my Gown, *&c.*

Q. What are you?

Bell. A Widow.

Q. What Gown was it?

Bell. A Linnen Gown; Mrs. *Beckerky* ſaw her come down.

Q. When was it that ſhe went up Stairs and took theſe Things?

Bell. The 23d of *Auguſt*.

Q. Where do you live?

Bell. In *Petty-France*, *Weſtminſter*.

Q. Do you lodge there?

Bell.

Bell. Yes, at one Mr. *Dyer*'s.

Q. How do you know that ſhe went up and took them?

Bell. She was caught as ſhe was coming down; Mrs. *Beckerly* heard her coming down a little after Six o'Clock in the Evening.

Q. Was you not at home yourſelf?

Bell. Yes, my Lord, I was in the Kitchen. Mrs. *Beckerly* lives up two Pair of Stairs; ſhe hearing ſomebody go up ſoftly, and go into my Room; when the Priſoner was coming down again, ſhe aſk'd her what ſhe did there; ſhe ſaid ſhe had got what ſhe went for. Mrs. *Beckerly* calls to me and ſaid Mrs. *Bell*, Somebody has been up in your Room, the Woman is gone along in a blue Gown and black Hat; ſhe run up from our Houſe towards the *Bull Head*, where ſhe left the Things: I run after her, and ſhe had lay'd the Things down, and Mrs. *Dyer* follow'd her; ſhe had got into the *Bull Head* Alehouſe in *Petty-France*: When I came up to her, I ſaid you brazen Face, what Buſineſs have you in my Room? ſhe ſaid ſhe would ſhew me; what ſhe meant by that I did not know.

Q. What did you find there?

Bell. My Gown, my Cap, and my Handkerchief, that I have ſworn to.

Q. Where were they found?

Bell. Upon the Stairs.

Q. Who was by her when you came to her?

Bell. Mrs. *Dyer* came in before me, or after me, I cannot tell.

Q. What did ſhe ſay?

Bell. She ſaid ſhe would go and ſhew me where; as ſhe run along back again to ſhew me, ſhe ſaid that an old Man had ſent her for the Things. She own'd the Fact before the Juſtice.

Q. What Juſtice?

Bell. Juſtice *Manly*.

Q. (*to Rachel Beckerly*) What have you to ſay to the Priſoner?

Beckerly. Laſt *Saturday* ſe'nnight I heard ſomebody go up Stairs very ſoftly, and I was willing to know who it was; when they came down again, I ſaw a Woman with ſomething in her Apron, and I aſk'd her who ſhe wanted; ſhe ſaid, what I want, or this I want, I have; (I can't tell which) ſhe ſaid ſhe was ſent by the old Man: I ſaid, what old Man? ſhe ſaid the old Man at the *Bull*; with that I follow'd her down; when I came down Stairs I was in a great Surprize. I look'd at her 'till ſhe was a few Doors of; then ſhe look'd back, I fancy to ſee whether we obſerv'd where ſhe was going to. I ſaid to Mrs. *Bell*, the Woman is gone to the *Bull Head*.

Court. So then you follow'd her.

Beckerly. No, I did not; I call'd to Mrs. *Bell* to come up, for there was a Woman had got a Bundle out of her Room in her Apron; ſo Mrs. *Dyer* and Mrs. *Bell* follow'd her.

Q. (*to Sarah Dyer.*) What do you know of this Matter?

Dyer. My Daughter call'd to me, and ſaid, Mother, there is a ſtrange Woman gone out of the Houſe with a Bundle in her Hand; I immediately run out and follow'd her, and ſhe went to the *Bull-Head*. I went immediately to the Landlord, and aſk'd him if a Woman in a Blue Gown had not come in; ſo ſhe (the Priſoner) was ſtanding by, and ſaid, here I am; but I ſaid, where's the Bundle you had in your Lap; ſo Mrs. *Bell* was at my Shoulder, and ſaid, what Buſineſs had you in my Room? The Priſoner ſaid, I'll go and ſhew you. I aſk'd the Maid at the Publick-Houſe what ſhe left there; ſo we look'd, and found the Gown, Hat, and Handkerchief.

Q. Have you any thing more to ſay?

Dyer. She own'd it before the Juſtice. The Excuſe ſhe made was, that there was an old Man that ow'd her 16 s. and deſired her to go up three Pair of Stairs, and turn in upon the Left-hand, and take theſe Things.

Priſoner. Pleaſe you, my Lord, one *Robert Anderſon*, a Shoemaker, ow'd me a little Money; I told him, my Huſband would be uneaſy for the Money; he ſaid, keep yourſelf eaſy. About Five o'Clock at Night he took me to *Petty-France* to this Houſe, and deſir'd me to go up three Pair of Stairs, and that he would go to the *Bull-Head*. I went up Stairs, and ſtaid almoſt a Quarter of an Hour. As I was coming down, a Woman ſpoke to me, and I told her that I had been up at the old Man's Room, *&c.*

Q. (*to the Priſoner.*) Have you any Witneſſes?

Priſoner. They are gone after this Man; he is gone on board the Fly Sloop. Guilty 10 d.

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287. **Elizabeth Williams** was indicted for ſtealing five Pounds, out of the Dwelling-Houſe of *William Johnſon* of *Uxbridge*.

Q. (*to Mrs. Johnſon.*) What is your Huſband's Name?

Mrs. Johnſon. William Johnſon.

Q. What Age is the Priſoner?

Johnſon. About fourteen Years of Age.

Q. What did you loſe?

Johnſon. I have loſt Money ſeveral Times; ſhe own'd ſhe took it.

Q. How

Q. How much did ſhe own ?

Johnſon. I believe ſhe own'd about five or ſix Pounds.

Q. Where did you miſs it ?

Johnſon. In a Shagreen Tea-Cheſt on the Top of a Scrutore.

Q. What Reaſon have you to think the Priſoner at the Bar took it ?

Johnſon. I can't ſay any thing to it, but as ſhe confeſs'd.

Q. Was ſhe your Servant ?

Johnſon. She uſed to come in to hold the Child, *&c.*

Court. You loſt Money at ſeveral Times; what, do you mean that ſhe took it ?

Johnſon. She was there, and I tax'd her with it; I can't ſwear to my Money: She had none upon her; but ſhe bought new Clothes, and changed a Guinea, that made me ſuſpect her.

Q. Where was it that ſhe own'd ſhe took it ?

Johnſon. Before the Juſtice.

Q. What was it ſhe ſaid; was there any Promiſe made of Pardon before ſhe went to the Juſtice ?

Johnſon. I told her that I would not hurt her. She was an Apprentice to one *William Webb*, a Carpenter; ſhe ſaid, every time ſhe ſtole it he had Part of it.

Q. Where is the old Man ?

Johnſon. He is very ill.

Q. Was he ſo bad that he could not be brought ?

Johnſon. He is very bad, and could not be brought.

Q. *(to the Priſoner.)* Have you any Witneſs ?

Priſoner. Pleaſe you, my Lord, ſhe told me if I would confeſs it ſhe would forgive me.

Q. Have you any Witneſs ?

Priſoner. No, Sir, I have none but God and myſelf. Acquitted.

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288. **Elizabeth May** was indicted for ſtealing 6s. 6d. the Property of *James Wilkins*, the 30th of *Auguſt*.

Q. *(to James Wilkins.)* What have you to ſay againſt the Priſoner at the Bar ?

Wilkins. The Priſoner at the Bar took from me two Half Crowns, a Shilling, and a Six-pence.

Q. When was this ?

Wilkins. I think on the 30th of *Auguſt*; laſt *Saturday* Night, between Eleven and Twelve, coming thro' *Drury-Lane*, a Woman of the Town pick'd me up.

Q. What, the Priſoner at the Bar ?

Wilkins. No, my Lord, the Woman of the Town is now in *Bridewell*. We went to the Houſe and went up Stairs, and went to Bed. There were two Rooms on a Floor.

Q. Where did you go to lie together ?

Wilkins. In *Holford's-Alley*.

Q. Did any body elſe lie in the Room with you ?

Wilkins. I undreſs'd myſelf, my Lord, ſo did the Girl too; we were in Bed about Half an Hour; I did not cloſe my Eyes; the Girl got up and went down Stairs; whether ſhe went down to the Neceſſary-Houſe, or ſomething I can't tell what: When the Girl went down Stairs the Candle was burning; the Priſoner took the Breeches from under my Head, and two Half Crowns in my Sight. My Lord, there was a Candle burning in the Room all the while. I would not have ſuffer'd her to rob me, but I was in Danger of my Life, for there was another Man that lay with her; I knew I was in a diſorderly Houſe. After the Girl that went down Stairs came up again, I ſaid that Woman in the next Room has robb'd me; I got up, and ſaw a Man in Bed with her; ſhe was only in her Smock when ſhe came into the Room to my Bed-ſide. With that the Girl that lay with me ſlipt down again, and ſaid that ſhe would not lie under Danger for no ſuch Whores, *&c.*

Q. How came ſhe there; did you charge both theſe Women ?

Wilkins. She that lay with me was charged as a diſorderly Woman, no other Offence.

Q. Where was the diſorderly Man ?

Wilkins. The diſorderly Man was along with the diſorderly Woman; but he hopes he ſhall do ſo no more.

Q. So you did not ſtruggle ?

Wilkins. No, my Lord, I knew what Sort of Gang they were; I have heard it commonly ſaid when I have been in Company with Pariſh Officers, *&c.*

Q. How came you to go to ſuch Places ?

Wilkine. My Lord, I was to blame.

Jury. My Lord, we believe he has been there before now.

Q. What did ſhe do ?

Wilkins. She took my Breeches from under my Head, and took out two Half Crowns, a Shilling and a Six-pence.

Q. Pray what Clothes had ſhe on when ſhe came in to take the Money ?

Wilkins. She came in her Smock, my Lord, into the Room; had nothing but her Smock and her Cap upon her Head.

Q. (to the Priſoner.) Will you aſk him any Queſtion?

Priſoner. When he miſs'd his Money I deſired he would ſearch me; I had but one ſingle Farthing in the World.

Court. (to Wilkins.) She ask'd you to ſearch her Pockets.

Wilkins. No, my Lord, ſhe ask'd me no ſuch Thing.

Priſoner. He *(Wilkins)* ſaid, D——n your Eyes you B———s, I have loſt my Money among ſuch a Parcel of B———s; but he could not tell by whom.

Q. (to William Elliſon.) What have you to ſay againſt the Priſoner at the Bar?

Elliſon. I was call'd to take Charge of the Woman; when I came up Stairs this Woman was in Bed; ſhe ſhut the Door againſt me, but I puſh'd it open; the Proſecutor told me he had loſt his Money; the Woman ſaid, if he had loſt Buckles, or any thing, he ſhould look about the Bed; he ſaid, I charge that Woman with robbing me.

Q. Did he charge any other Woman?

Elliſon. He charg'd the other Woman for being in Company with him.

Q. Was there any body elſe in the Houſe?

Elliſon. Not above, but there were two or three Women below.

Cartwright. I am Beadle.

Q. What do you know of the Priſoner at the Bar?

Cartwright. When the Woman was brought to the Watch-houſe, the Proſecutor charg'd that Woman, the Priſoner, with the Robbery, which he ſent to Newgate, and the Woman that was a Bed with him to the Round-houſe.

Q. (to the Priſoner.) What have you to ſay?

Priſoner. Pleaſe you, my Lord, this Gentleman here went to Bed along with another Woman; he got up between Twelve and One o'Clock, and made a great Noiſe; this Woman here run away; with that he ſaid, I will have one or t'other of you; he d——d, and ſaid, I will have you.

Q. (to Wilkins) what Money had you when you went in there?

Wilkins. I believe I had fourteen Shillings; I ſpent all to two Half Crowns and a Shilling.

Court. This Woman you ſay, that took your Money from you, had only her Shift on; did you ever find the Money upon her?

Wilkins. I did not ſtir 'till the other Girl came up; I never attack'd her; ſhe made the beſt of her Way, after ſhe got the Money; ſhe never was ſearch'd.

Q. (to Elizabeth Smallman.) What have you to ſay in behalf of the Priſoner at the Bar?

Smallman. Pleaſe you, my Lord, I ſaw that Gentleman come in with two Women; my Mother keeps the Houſe; they had been up Stairs a conſiderable Time.

Q. Was the Priſoner at the Bar one of the two?

Smallman. I never ſaw her in his Company; they had drunk a pretty deal of Liquor; both the Women that were with him fought about the Money they had of him; the Woman that got the Day he took up with him, and ſtript and went to Bed; when he had been in Bed about three Hours, he call'd; I came up to him; he ſaid he was very dry; the Woman that was in Bed with him had got from him; when I came up to him, he went to pay me; he took his Breeches, and he had no Money; he ſaid, bleſs me, have I ſpent all my Money; ſo I fetch'd him up ſome Water.

Q. Did he charge the Priſoner?

Smallman. I never ſaw her in his Company. One of the Women that laid with him is committed as a diſorderly Woman to *Bridewell.*

Q. Was the Priſoner at the Bar in your Houſe?

Smallman. I never ſaw the Priſoner with him.

The Court cenſur'd the Conſtable and Watchman for not taking up the Man as well as the Woman. Acquitted.

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289. **Anna Maria Leverſton**, otherwiſe **Jane Clark**, was indicted for ſtealing three Linnen Shirts, Value 18 s. *&c.* the 18th of *June* laſt, the Goods and Chattels of *Barnard Brograve.*

Brograve. About the Beginning of *June* I came up to *London*, and took Lodgings at Mr. *Egleſton's*, Tobacconiſt in *Fleet-Street*; I pack'd up my Things in a Portmanteau to go in the Country: After I had been in the Country about three Weeks, I look'd for ſome of my Pocket Handkerchiefs, and I miſs'd them; I miſs'd three Shirts and five Handkerchiefs. When I miſs'd my Shirts, I wrote to Mr. *Egleſton.*

Q. (to Anne Egleſton.) What have you to ſay concerning this Woman?

Egleſton. Sir, the Priſoner was a Servant of mine about ſix Weeks; when I wanted a Servant, ſhe came to me; I ſent for a Character of her where ſhe directed me. In the Time ſhe was with me ſhe took

took theſe three Shirts and five Handkerchiefs. When the Gentleman wrote to me, he ſaid, if I could anſwer to the Maid's Character he would ſet down by the Loſs. Her Maſter ſaid ſhe was a waſhing ſome Handkerchiefs; ſo ſhe brought up a Handkerchief mark'd *B. B.* I told her (my Credit was at Stake as well as her's) and I deſired ſhe would be free and open, and let me know the whole; ſhe told me, ſhe had pawn'd the Shirts in *Eagle-Street*; ſhe begg'd that I would let her have Money, and ſhe would fetch them again; ſo we ſent to the Pawnbroker's, and ſhe had pawn'd them in the Name of *Clark*; ſhe ſaid her Huſband uſed to pawn Things in the Name of *Clark*, and he had learn'd her the Way.

Q. (*to George French.*) Are theſe the Shirts that were pawn'd to you?

French. Yes, Sir; they were pawn'd in the Name of *Jane Clark.*

Q. Who had you theſe Shirts from?

French. The Priſoner, in the Name of *Jane Clark.*

Q. How much did ſhe pawn them for?

French. Two for twelve Shillings, and one for Six.

Q. (*to the Priſoner.*) Have you any thing to ſay by way of Defence?

Priſoner. As I was packing up this Gentleman's Things (the Proſecutor's,) his Brother came into the Room, and Mr. *Brograve*, the Proſecutor, told me to go out of the Room, ſaid that he would pack up the Things himſelf, and in doing of it he left out theſe Things, and I thought I had as much a Right to them as my Miſtreſs. Guilty.

290, 291. **Original March** and **Sarah Deacon**, were indicted for ſtealing 14 lb. Weight of Hog's Briſtles, the Property of *Thomas Yeomans.*

Q. (*to Thomas Yeomans.*) Do you know the Priſoners at the Bar?

Yeomans. I never ſaw the Man but once before, but the Woman I know; I have two Parcels of Briſtles here, about 14 lb. Weight; theſe Briſtles, and ſome in the Bag, are mine.

Q. Where was this Bag and Briſtles found?

Yeomans. Theſe were ſent to me by an unknown Hand, and the Bag was taken from the two Priſoners; that is all I have to ſay.

Q. (*to George Stanley.*) What have you to ſay?

Stanley. Nothing to ſay, my Lord, but that this *Original March* offer'd theſe Briſtles to my Wife.

Q. Was you preſent?

Stanley. I was not preſent.

Q. Do you underſtand any thing of it, beſides what your Wife told you?

Stanley. My Wife is a Perſon that ſells Goods, Briſtles, and Hair Brooms, &c. about the Streets. On this Side of *Leiceſter-Fields*, this *Original March* took Hold of the Handle of one of the Brooms, and aſk'd her ſome Queſtions, and ſaid that he had a large Quantity of Briſtles to ſell: I alſo ſaw him myſelf, and he offer'd theſe Briſtles to Sale; I ask'd him what he would have for them, but he could not tell; he ask'd me what I would give for them, ſo that I found he was ignorant; not only ſo, but I thought within myſelf that they were ſtolen, becauſe there is no Perſon that has ſuch a Commodity but Bruſh-makers. He told me he had a large Quantity of theſe Hairs to diſpoſe of, 5 or 600 Weight. I follow'd him the whole Day, but would not ſeize this ſmall Parcel, in Hopes of finding the biggeſt. It was on the 25th of *July*; I was a whole Day with him, and ſpent my Money upon him. I went again the 26th, on *Saturday* Morning; when I came there he was a Bed. I order'd the Landlord to call him down; I ask'd him to drink; I ſaid Mr. *March*, as you have ſuch a large Quantity of Briſtles to ſell, I would have you let me ſee them; he ſaid he had no more at that Time, but if I would take them in Part, he would make them up a Quarter of a Hundred, and that he had them for a Debt of a Gentleman that was then in *Ludgate*, which was falſe, for he had them of Mr. *Yeoman*'s Maid in St. *Thomas Apoſtles*; She put the Briſtles in this ſame Bag, and he (*Original March*) took them of her, in order to pay a Debt of *Sarah Deacon*'s, (the other Priſoner) to one Mrs. *Collins*, in *Tyburn Road.* I carried him before the Juſtice, and he ſaid *Sarah Deacon* took the Hairs, and gave them to him. Then they were examin'd before my Lord, both of them own'd the Fact; one was committed to *Newgate*, and the other to *Wood-Street Compter.*

Court. Now recollect the very Words.

Stanley. As near as I can gueſs, the Woman ſaid ſhe took the Hairs, and gave them to *O. March*, and deſir'd him to ſell them to pay this Debt to Mrs. *Collins.*

Q. Did *March* ſay he ſaw *Deacon* take them and put them into the Bag?

Stanley. Yes, and that ſhe gave them to him afterwards, and ſaid, *March*, if you can take a few of theſe Hairs, and pay this little Money, if you have a Conſcience that will do it; and *March* ſaid

Conſcience

Conſcience be hang'd. The Priſoner *Deacon* ſaid ſhe was ſorry in one Senſe, and yet glad in another; for if it had not been found out, Things might have been worſe.

Jane Stanley. On the 24th of *July* this *Original March* overtook me (on this Side of *Leiceſter-Fields*) with Bruſhes, &c. He ask'd me what I could afford to give him for ſuch Brooms without Handels; he told me he had a great many Bruſh Brooms of all ſorts; he ſaid alſo that he had a great Quantity of Hairs on Account of a Gentleman that ow'd him Threeſcore Pounds, that was in *Ludgate.* He took me to his Lodgings; when I came there I expected to ſee Bruſhes and Brooms, &c. ſo he brought me down that Bag with Briſtles in them; he ask'd me 20d. a Pound for them: I told him I believ'd they were worth more, but I told him I was not ſo good a Judge as my Huſband, but I would ſend him in the Evening. My Husband went the next Morning, and ſpent the whole Day in order to have the other Quantity. *March*, the Priſoner, ſaid he had kept Company with *Sarah Deacon* in the Way of a Huſband, for four Years; that he lay with her at ſeveral Times, eight Nights in all; that ſhe gave him theſe Hairs to pay a Debt to Mrs. *Collins*, which ſhe borrow'd of her in her Neceſſity.

Q. (to Edward Speak) What have you to ſay in this Affair?

Speak. I have nothing more, than that I was preſent at the Time when the Goods were ſtopt. The Priſoner, whoſe Name is *Original March*, has acknowledg'd he had the Briſtles from *Sarah Deacon*, Servant to Mr. *Yeomans*, in *Thomas Apoſtles*; that he had lay'd with her frequently there, and that ſhe went for his Wife, but he was never married to her; ſhe uſed frequently to let him in after her Maſter was gone to Bed, and to let him out in the Morning before they were up, and the laſt Night ſhe gave him theſe Briſtles. When the Fellow was ſtopt, I knowing Mr. *Yeomans*, I ſent Mr. *Stanley* to give him Information; he came back to let me know that the Maid was ſecur'd, accordingly they were carried before my Lord Mayor.

Court. Speak firſt as to *March.*

Speak. March acknowledg'd he had them from Mr. *Yeomans*'s Maid, to pay a Debt to one Mrs. *Collins.*

Q. Did *Sarah Deacon* ſay any Thing?

Speak. At the Time ſhe was much ſurpriz'd, but as it was done, ſhe could not help it. She acknowledged ſhe had given the Goods to *Original March*, and he was there that Night.

Q. (to Priſoner March) In the firſt Place what have you to ſay in your Defence?

Priſoner. This Woman, pleaſe you my Lord, had put up theſe Hairs in a Bag, and ſhe ſaid ſhe had come honeſtly by them.

Q. (to Deacon) Have you any Thing to ſay by Way of Defence?

Katharine Yeomans. I am Wife to *Thomas Yeomans*; all that I have to ſay of her is, that ſhe is really capable of being a good Servant, and behav'd very well 'till ſhe got into Company with this Fellow: He came into the Houſe, and lay there when he took the Goods out. I believe he has been the Ruin of her, and, my Lord, I would pray that ſhe may be forgiven. Both Guilty.

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292. **Elizabeth Webſter** was indicted for ſtealing one Piece of Gold Coin, call'd a Six and thirty Shilling Piece, and another Piece of Gold Coin, call'd a Guinea, the Goods of *William Marſhall*, the 12th of *Auguſt.*

Q. (to William Marſhall) What have you to ſay againſt the Priſoner at the Bar?

Marſhall. The Priſoner at the Bar liv'd with me about four Months, in which Time I loſt ſeveral Sums of Money; upon which I mark'd ſome, in order to find it out, on *Monday*, (this was on *Tueſday*, the 12th of *Auguſt*); I had mark'd twelve Pounds, and put in my Deſk, as uſual; but a Gentleman came and paid me ſome Money, and brought me a Three-Pound Twelve-Shilling Piece; I gave him ſome Change out of it, and left it on the Deſk all Night. I conſulted proper Means to find it out; I ſuſpected the Man more than the Maid. We contriv'd that her Miſtreſs ſhould ſend her down to get ſome Water, and in the mean Time ſhe ſhould examine her Pocket: Her Miſtreſs follow'd her to the Kitchen Door, and aſk'd her for her Pocket; upon which I found the Thirty-ſix Shilling Piece and Guinea, which I had mark'd. Upon that I call'd my Wife's Father, Mr. *Glaſs*, who is here, and ſhe acknowledg'd ſhe had taken them.

Q. Who did ſhe acknowledge it before?

Marſhall. She acknowledged it before myſelf, my Wife, and my Wife's Father, Mr. *Glaſs.*

Q. (to Thomas Glaſs) What have you to ſay in this Affair?

Glaſs. Mr. *Marſhall* has often complain'd of the Loſs of Money out of the Shop, from the Time mention'd, the 12th of *Auguſt*, on *Tueſday* Night. (I board in the Houſe with him.) He look'd very dull, and told me his Caſh came conſiderably ſhort. I ſaid, Are you ſure that you have loſt it; he ſaid he

he told it the laſt Night, and To-day, and caſt it up again, and found it three Pounds ſhort of the Money, and had ticketed it down. I aſk'd him if he miſtruſted any Body; he ſaid he did not like his Maid, for no body had been in the Counting-Houſe but her: But however, at Night, when I went up to my Chamber, I had not been there but a very little while, but my Son *Marſhall* knock'd at the Chamber Door, and ſaid, that he had found the Thief. When I went down to his Room, there was he and his Wife, and Maid, together; he ſaid he could ſwear it; with that the Maid cry'd, and ſaid, ſhe acknowledg'd ſhe did take it, and if we would forgive her ſhe would never do ſo any more; and ſhe frankly did acknowledge that ſhe did take Money from the firſt Fortnight of her coming into the Houſe, and that ſhe had taken in all near thirty or forty Pounds.

Q. (to Elizabeth Marſhall) What do you know of this Affair?

Elizabeth Marſhall. I follow'd her down Stairs before I could get Courage to take her Pocket; but at laſt I did take it, and there I found the two Pieces of Money that were mark'd, and ſhe fell a crying, and begg'd I would ſhew her Mercy, and ſhe would confeſs every Thing that ſhe h d done.

Q. (to the Priſoner) Would you aſk this Witneſs any Queſtions.

Priſoner. What I ſaid to you was only in a Fright; the Money you had of me was my own, what I borrow'd to buy a Gown; I am innocent of what my Miſtreſs charges me with. Guilty.

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293. **Thomas Pennel** was indicted for ſtealing five Yards of *Genoa* Velvet, Value 4 l. 4 s. four Yards three Quarters of Green Sattin, two Yards and Half of Scarlet Cloth, two Yards and Half of Black Silk, and 1 l. 10 s. the Property of *Benjamin Finch*, the 25th of *July* laſt.

Q. (to Benjamin Finch) What have you to charge the Priſoner at the Bar with.

Finch. On *Monday* the 25th of *July* I was going out in the Evening; my other Servant, *John Wilſon*, told me he ſaw ſome of my Goods conceal'd in a Cellar: So I went down into the Cellar, and ſaw them between the Ceiling and the Boards, but did not take any Notice of it that Night, but went to conſult ſome Friends how I ſhould act. I ſent the Priſoner out the next Morning, and then tax'd the Maid with it, as they were pretty great; and then I call'd all three before me, and ſaid, One of you muſt be the Aggreſſor; come, *Thomas*, let me look in your Trunk; he ſaid, with all his Heart; and there I found the Piece of Scarlet Cloth mention'd in the Indictment; upon which he confeſs'd the other Things.

Q. What did he ſay then?

Finch. That he took the other Things: I aſk'd him for what Uſe he took them; and he ſaid, to wear. Then I ſaid, it is not agreeable to your Character in Life, it would but expoſe you.

Q. What were thoſe Things between the Board and the Ceiling?

Finch. There was five Yards of *Genoa* Velvet, and two Yards and Half of Black Silk. After that I queſtion'd him about the Watch he had bought; and he then confeſs'd he had taken a Guinea and a Half in Gold out of my Till, and in all about five Pounds.

Q. (to the Priſoner) Will you aſk the Gentleman any Queſtions?

Priſoner. No, Sir.

Q. (to Iſaac Malliſon) What have you to ſay to this Affair?

Malliſon. I was there when the Cloth was taken out of the Trunk, and when the Priſoner confeſs'd it: He acknowledg'd he had cut that off, and likewiſe what Mr. *Finch* has mention'd, and that he had taken about five Pounds in Money.

Q. Did he ſay any thing about Money?

Malliſon. Yes, Sir, to the Amount of about five Pounds; with Part of which he bought a Watch.

Q. Have you any thing more to ſay?

Malliſon. Nothing material.

Q. Did he mention any particular Pieces?

Malliſon. A Guinea and Half at one Time, which he took out of the Deſk, which was in order to pay for the Watch.

Q. (to the Priſoner) What have you to ſay in your Defence?

Priſoner. That it is entirely falſe and groundleſs.

Q. Have you any Evidences?

Priſoner. No; I truſt to God and the Juſtice and Equity of this Court. Guilty.

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294. **John Harriſon** was indicted for ſtealing four Glaſſes for Coaches, the Property of *William Tayler*, the 1ſt of *Auguſt* laſt.

Q. (to William Tayler) Do you know the Priſoner at the Bar; have you any thing to lay to his Charge?

Tayler. I am the Man that had my Glaſſes ſtole; I advertis'd one Glaſs five Weeks ago.

 Q. What

Q. What Glaſs was it?

Tayler. A Machine Glaſs for Coaches. This Day five Weeks one Ward came to me and aſk'd me if I had loſt any Glaſſes, he ſaid he had four brought to him; he aſk'd me if I could ſwear to them; I ſaid not, but my Man could: Theſe four Glaſſes were brought to him by the Priſoner at the Bar.

Q. How do you know theſe were your Glaſſes? I aſk you whether you know, from your own Knowledge, that you can ſwear to theſe Glaſſes?

Tayler. I can ſwear to one of the four, becauſe I bought it myſelf.

Q. Were they in Frames, or out of Frames?

Tayler. They are for Coaches or Chariots.

Q. Why are you ſure to that one?

Tayler. Becauſe I had a Mark upon it that I knew.

Q. Where did you loſe that Glaſs from?

Tayler. Out of my Shop, my Lord, the Priſoner work'd for me.

Q. When did you loſe them?

Tayler. The 1ſt of *Auguſt* I believe I took the Man up.

Q. *(to Mr. Tayler by the Council for the Priſoner.)* Mr. *Tayler*, be ſo good as to tell me how long this Man had work'd for you?

Tayler. I believe he had work'd for me a Year and half.

Q. Pray, Sir, have you a Nephew tranſacts Buſineſs for you?

Tayler. Yes he does; one *Francis Brown.*

Q. *(to James Ward.)* Do you know the Priſoner at the Bar? What is it you have to ſay againſt him, with reſpect to the Crime laid to his Charge?

Ward. He brought theſe four Glaſſes to me and offer'd them to Sale; he brought ſome before, which I bought; he brought them the 30th Day of *July*; they are Glaſſes for Coach Doors.

Q. What is your Buſineſs?

Ward. Mine is Glaſs Buſineſs, and Gilding beſides.

Q. When he brought them to you what did he bring them for?

Ward. He brought them to ſell to me; he had brought ſome to me before, which I had bought; the firſt of his coming to me was the 26th of *July.*

Q. Did you buy any of them?

Ward Yes, my Lord, I bought ſix of them, three on the 26th of *July*, and three more on the 28th or 29th, I can't tell which.

Q. Did he offer any on the 30th of *July?*

Ward. On the 30th he brought three more; then I ſaw that thoſe Glaſſes had never been in the Glew of the Coach; thoſe I bought before were old, ſo that I could not ſuſpect them; but when I ſaw theſe to be new Glaſſes I agreed with him for a Price for them, and ſaid, call again, Mr. *Harriſon*, about Two o'Clock in the Afternoon and I ſhall be ready for you; I then went about to the Trade: I took a Receipt in the Name of *John Harriſon*, becauſe I had a Suſpicion of their being ſtolen; then I went about the Trade to enquire whether they knew of any ſuch Man; I went firſt to *Clerkenwell*, and from thence to Mr. *Tayler's*, who ſaid *Harriſon* was his Journeyman; then he aſk'd me whether I had read an Advertiſement he had put out the Day before; I ſaid that I never ſaw any News 'till about Three o'Clock in the Afternoon; Mr. *Tayler* had offer'd ten Guineas Reward for the Glaſſes: I told him I had three Pieces of Glaſs that I ſuſpected were ſtolen, whereupon he deſir'd to ſee them, and after he had ſo done, requeſted that his Journeyman might look at them, I told him he might and welcome, that I never ſecreted any Goods. One Mr. *Hall* came along with him to ſee them.

Q. When was that?

Ward. The Day the Rebels were hang'd; I think the 30th of *July.* I ſhew'd them the four Glaſſes which were produced in Court.

Q. Had you all thoſe four Glaſſes from the Priſoner?

Ward. Yes. When Mr. *Tayler* ſaw them he could not be poſitive they were his; but deſir'd his Journeyman might ſee them, who came down accordingly; but neither of them would ſwear to the particular Marks of the Glaſſes, except one of them.

Q. Do you know which of the four it was?

Ward. I cannot ſay my Lord.

Q. What follow'd after that?

Ward. Mr. *Tayler* ſent down his Man to know whether the Priſoner had been with me; if not, he deſir'd I would ſtop him when he came; but he had been with me, and I ſaid to him, Mr. *Harriſon*, I have a great Suſpicion that you have not come honeſtly by theſe Goods; I'll ſtop them; he ſaid very well, I will bring you Proof I have come by them honeſtly: Then Mr. *Tayler* ſent for me to the *Sun-Tavern* in *Holbourn*, to know whether I had ſtopp'd him; I told him he had been there before he ſent down to me, that I had not ſtopp'd him, but the Goods. I told him they might belong to other People as well as to him, and that I would adverti ſe them, which I accordingly

ingly did, and the Advertiſement was read in Court, *viz.* Stopp'd yeſterday, four Coach-Door Glaſſes, ſuppos'd to be ſtolen; whoever applies to *James Ward* paying for the Advertiſement, ſhall have them again.

Court. You mention'd before, that the Priſoner ſaid he would bring People to prove he came honeſtly by them; did he come again?

Ward. Never any more; about two Days after I was ſent for to him before Sir *Thomas De Veil*; when I came before Sir *Thomas* I told him the Story.

Q. Did he ſay any Thing before Sir *Thomas De Veil?*

Ward. No farther than that Mr. *Tayler*'s Kinſman gave him the Goods to ſell for him.

Q. Did he name his Name?

Ward. I can't take upon me to ſay whether he did or no.

Q. (*to John Horn*) What do you know of the Priſoner at the Bar or the Fact?

Horn. I was at Mr. *Tayler*'s on *Tueſday* the 29th of *July*, and he was ſaying he had loſt a Glaſs; we were at the *Queen's-Head-Tavern*, and I perſuaded him to advertiſe this Glaſs. The next Day I went to Mr. *Tayler*'s and Mr. *Ward* came in at the ſame Time; he ſaid he had ſtopp'd four Glaſſes that he believ'd to belong to Mr. *Tayler*: Mr. *Tayler* was very cautious, he would not ſwear to them, and I perſuaded him to ſend his Servant. Some Time after this I went along with him and Mr. *Ward* and he pull'd out a Receipt of *John Harriſon's* of 3 l. 15 s. I ſaw one Glaſs that I could ſwear I ſold to Mr. *Tayler* for 2 l. 6 s. one was a Looking Glaſs.

Q. (*to John Auſtin*) What is your Buſineſs?

Auſtin. I am a Glaſs-grinder to Mr. *Tayler*.

Q. Where did you leave this Glaſs?

Auſtin. In the Fore Shop.

Q. When did you ſee the Glaſs again?

Auſtin. We heard that Mr. *Bonnet* had bought it of Mr. *Ward*; I ſaid to Mr. *Bonnet*, if it is my Maſter's Glaſs it is rubb'd at the Crop Corner End; *Bonnet* ſaid he bought it of *Ward*, and he ſent to him to fetch it again, as it was ſtolen Goods.

Bonnet. I bought the Glaſs of Mr. *Ward*; I gave 40 s. for it.

Q. When.

Bonnet. I can't ſay; but I think 'twas the Beginning of *Auguſt*.

Q. What became of that Glaſs?

Bonnet. I return'd it to Mr. *Ward* again, becauſe Mr. *Tayler*'s People ſaid it was their Maſter's.

Q. (*to Ward*) Do you know any Thing of this Glaſs you ſold to Mr. *Bonnet*.

Ward Yes, my Lord. I bought it of *Harriſon*, the Priſoner.

Priſoner. Pleaſe to aſk Mr. *Auſtin* how he can ſpeak to this Glaſs ſo particularly.

Auſtin. Becauſe it has ſuch a particular Mark that there is not one in a Thouſand like it; I went to look on theſe Glaſſes but could not ſwear to them; but this Glaſs I could ſpeak to, one Side of it being plain, and on the other there is a Roughneſs, *&c.*

Jury. I underſtood that the Priſoner own'd the Glaſſes, but that he had them of Mr. *Tayler's* Nephew?

Q. (*to William Heritage*) What are you.

Heritage. I have been a Journeyman to Mr. *Tayler* almoſt eight Years.

Q. Is there any Glaſs here you can ſwear to?

Heritage. Yes.

[The Evidence *Heritage* ſwore to three out of the four, and that he put a Diamond to them.]

Q. (*to the Priſoner.*) Would you aſk him any Queſtions?

Priſoner. Pleaſe to aſk him what particular Mark he can ſwear to the three by, and not to the fourth?

Heritage. A Flaw on the contrary Side, and a particular Mark at the Corner of the other.

Priſoner. Would you aſk him whether he never ſaw ſuch a Fault in a Glaſs before?

Heritage. Not in the particular Place where that is.

Priſoner. Pleaſe you my Lord to aſk him how long he work'd thoſe Glaſſes for Mr. *Tayler?*

Heritage. It might be about a Fortnight before they were clandeſtinely taken out of my Maſter's Shop.

Q. How long from this Time?

Heritage. About ſix or ſeven Weeks.

Q. Was this the Glaſs you work'd at Mr. *Tayler's*.

Heritage. Yes.

Q. Do you know they were not ſold?

Heritage. Not by Mr. *Tayler*; for they were not fram'd.

Q. (*to the Priſoner.*) What have you to ſay in your Defence?

Priſoner. Pleaſe you, my Lord, it is a malicious Proſecution; Mr. *Tayler*'s Nephew knows that I had all theſe Glaſſes from him.

Q. (*to*

Q. (to John Thompſon.) What have you to ſay in behalf of the Priſoner? Do you know Mr. *Brown?*

Thompſon. I have ſeen him once or twice.

Q. Was he in Company with *John Harriſon?*

Thompſon. He was in Company with *John Harriſon* at one Mr. *Quere's*; I went down to my Officer to throw up my Pay, that I might get to work; I ſaw there the Priſoner at the Bar drinking alone; he ſaid to me, Mr. *Thompſon*, how do you do? By and by in comes this Man, (pointing to Mr. *Brown*) and *Harriſon* the Priſoner ſaid to him, What do you mean by throwing ſuch a Scandal upon me by bringing Glaſs to my Wife? ſhe has been taken up upon that Account; but, ſaid *Brown*, did not I get her diſcharg'd? *Brown* told him, that if he did not get out of the Way he would deny it; and offer'd him ſome Money.

Q. What did *Harriſon* ſay to him when *Brown* advis'd him to go out of the Way?

Thompſon. He ſaid he would not go out of the Way.

Q. What Money did he offer him?

Thompſon. I can't tell the Sum; I heard him ſay he would give him Money; but what it was I cannot tell.

Q. How long have you known the Priſoner at the Bar?

Thompſon. About three Quarters of a Year.

Q. (to Eleanor Hall.) Do you know the Priſoner and Mr. *Brown?* Tell us what you heard paſs.

Hall. I went to ſee Mrs. *Harriſon* the Day after St. *James's* Day, the 26th of *July*; ſhe was very ill, and deſir'd me to ſtay and drink a Diſh of Tea: While I ſat there Mr. *Brown* came up with three Glaſſes under his Arm, and aſk'd if Mr. *Harriſon* was within; he ſaid, lay theſe Glaſſes by, Mr. *Harriſon* don't go out, I ſhall call by and by. In about an Hour after he brought four more of a larger Size, and deſir'd they might be laid by. The *Tueſday* following I went to ſee Mrs. *Harriſon*, as ſhe was ſo ill. Mr. *Brown* came up the ſame Morning, and ſaid to Mr. *Harriſon*, go do down to Mr. *Ward's* in *Holbourn* with theſe three Glaſſes, and get what Money you can for them.

Q. Did he take the three Glaſſes?

Hall. Yes, he took them and went down with them.

Q. Do you know any thing more?

Hall. Mr. *Harriſon* return'd again in about an Hour; I ſaw no more of Mr. *Brown* 'till about Three o'Clock.

Q. Where did you ſee *Brown?*

Hall. I ſtaid with Mrs. *Harriſon* all the Time; about Three o'Clock Mr. *Brown* came again, and he aſk'd him what Money he got for them. *Harriſon* ſaid, what I have you ſhall have, and put his Hand in his Pocket and took out three Guineas in Gold, four Half-Crowns and two Shillings, and ſaid he had given a Receipt to *Alard*; then *Brown* ſaid he muſt go with the other Glaſſes To-morrow Morning.

Q. Where do you live, Mrs. *Hall?*

Hall. I live in *Queen-Street.*

Q. Are you a Houſe-keeper?

Hall. No, Sir, I am a Lodger; I am a Woman that follows Waſhing and Scouring.

Q. If you are a poor Woman, how could you waſte three or four Hours to make a Viſit?

Hall. I don't go out every Day; but when I hear of a Friend's being ill and in Diſtreſs I go to ſee them.

Q. (to Katherine Spence.) Do you know the Priſoner, *John Harriſon*, and Mr. *Brown?*

Spence. I am a Woman that ſometimes get my Bread in the Streets and ſometimes at home; as I was coming from *Clare-Market* with Goods I met with my Baker; he ſaid, how do you do, Mrs. *Spence*, have you got any Money for me? I ſaid, my Huſband is not come from the Pay-Table, but I will give you what Money I have, which was about five Shillings; ſo he aſk'd me to go in and drink; the Priſoner at the Bar was ſtanding by, and bought a Half-penny worth of Plumbs of me; he lives at the Tea Canniſter; the Man brought a Pint of Beer to my Barrow, the next Door but one to the Place where Mr. *Harriſon* lives; while I was drinking *Brown* came and brought four Glaſſes under his Arm: Says *Harriſon*, What muſt I do with them? *Brown* ſays, take them to your Lodgings and I will tell you what you ſhall do with them on *Wedneſday.* That is all I know of the Affair, good or bad.

Q. What is your Huſband?

Spence. A Bricklayer; we live in a Houſe of eleven Pounds a Year.

Q. (to George Weaver.) Where do you live, and what is your Buſineſs?

Weaver. I am a Glaſs-grinder; I live in *Parker's Lane*, near *Drury-Lane*, *Queen-Street.*

Q. How long have you known the Priſoner at the Bar?

Weaver. About three Years; when he firſt came to Town he ſerv'd me for a whole Year, the Year before he went to Mr. *Tayler's*; he was a very ſober,

ſober, careful induſtrious Man; I never heard any Harm of him.

Q. (*to Daniel Long.*) Where do you live?

Long. In *Parker's-Lane*; I have liv'd nineteen Years in one Houſe, juſt facing the Houſe where Mr. *Harriſon* works; I have known him a Year and a Half, and never heard any Harm of the Man in my Life.

Q. (*to William More.*) Where do you live?

More. In *Drury-Lane*; my Buſineſs is a Gold and Silver Lace Weaver; I work'd for the King's Lace-man, but now for Mr. *Hill* at *Charing-croſs*, and I tell you, Gentlemen, I never heard a Word amiſs in his Character in my Life.

Q. (*to Frances Mitchell.*) Where do you live?

Mitchell. In *St. Giles's.*

Q. What Character has the Priſoner at the Bar?

Mitchell. He lodg'd in my Houſe Half a Year, and I never heard any Ill of the Man in my Life; he was as Pains-taking a Man as ever I knew in my Life.

Q. (*to Walter Murphey.*) How long have you known the Priſoner and Mr. *Brown?*

Murphey. Mr. *Brown* came to my Houſe; his Buſineſs was with Mr. *Harriſon*; he deſired that he would go away, for his Uncle had miſs'd ſome Glaſs, and he would take him up.

Q. What is your Buſineſs?

Murphey. I am a Marſhal's-Court-Officer.

Q. When was this?

Murphey. A Day or two before he was taken.

Q. Where was this that *Brown* came?

Murphey. At the *Bull* in *Peter's-Street*, *Clare-Market.*

Q. When he came there, who did he ask for?

Murphey. He ask'd for *Harriſon*; he ſaid his Buſineſs was with him, for to go out of the Way, becauſe his Uncle had miſs'd ſome Glaſs, *&c.*

Q. What did he tell you?

Murphey. He told me, if *Harriſon* did not go out of the Way, his Uncle would take him up. The *Friday* following *Harriſon* was taken to the *Gatehouſe*; on *Saturday* following *Brown* came to that Houſe again; he ſaid, I adviſed him to go away, now the Villain has brought my Name in Queſtion, I'll ſpend an hundred Pounds to have him hang'd for making uſe of my Name.

Q. How long had you known Mr. *Brown?*

Murphey. Not above two or three Days; he ſpoke to me at the ſame time to adviſe *Harriſon* to go away.

Court. Has the Proſecutor any thing to ſay by Way of Anſwer to this?

Tayler. Pleaſe you, my Lord, *Brown* is my Nephew, my Wife is his Aunt; I truſt him with thouſands of Pounds, *&c.* Acquitted.

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295. **Suſannah M'Kenſey** was indicted for ſtealing one Worſted-Damaſk Waiſtcoat, and a Silver Watch, the Goods of *John Davis*, taken out of the Dwelling-houſe of *John Morris* the 13th of *July.*

Q. (*to John Morris.*) What have you to ſay againſt the Priſoner at the Bar?

Morris. She came into my Houſe one Night with a Man; they came as Man and Wife, and aſk'd for Lodging.

Q. Where do you live?

Morris. In *Charles-Street*, *St. Giles's.*

Q. What have you to ſay to the Priſoner?

Morris. She aſk'd if her and her Huſband might have a Lodging.

Q. When did ſhe come?

Morris. The 13th of *July* laſt.

Q. What was your Anſwer?

Morris. I told her I had; immediately they order'd a Candle and went to Bed; they did not ſtay a Quarter of an Hour; they hired one Pair of Stairs backwards; they hired it for no time but that Night. He that ſhe call'd her Huſband was along with her; ſo that I went to Bed, and made all faſt.

Q. What then?

Morris. After they had been in Bed and put out the Candle, I goes to Bed about Twelve o'Clock.

Q. When did they go to Bed?

Morris. About Eight or Nine.

Q. What then?

Morris. So about Break of Day the Man knocks at my Room Door, where I lay; then I got out of Bed, and he told me he had loſt his Waiſtcoat, his Watch and Money. How can that be, ſaid I; why, there is none could come in there? I aſk'd him how he loſt it? He ſaid, the Woman was gone that came along with him as his Wife.

Court. So he lodg'd in your Houſe that Night.

Morris. Yes.

Q. Who took the Lodgings?

Morris. She took the Lodgings.

Q. Was he by; did he ſay any thing at all to the contrary.

Morris. No, he ſaid nothing at all to the contrary. When he told me that he was robb'd, I

 ſaid,

ſaid, how can that be, I had made every Place of the Houſe ſecure. So I immediately got up. He ſaid, the Woman is gone from me; I ſaid, I thought ſhe told me laſt Night that ſhe was your Wife. So I gets up, thinking I ſhould find her in ſome of the Rooms of the Houſe. When I went down Stairs, I found the Shop ſecure, and the Back-Door ſecure, every Place ſecure, except the Yard-Door; that I left bolted when I went to Bed; ſo when I went down, I found the Door half ſhut and half open; then I went into the Yard, and I found the Track of Dirt from her Shoes on my Water-Tub; ſo I went into the Yard of an empty Houſe, and ſome of the Threads of her Stockings ſtuck upon the Pales, and I found that Yard-Door broke open; that Yard-Door went into an Alley. About Ten o'Clock ſhe was found.

Q. Did you find any thing upon her?

Morris. Yes, we found ſomething that belong'd to the Watch.

Q. How far did you find her from you?

Morris. She had made her Eſcape from me; ſhe was brought before Sir *Thomas*, and there I ſaw her.

Q. What was the Thing that you found upon her that belong'd to the Watch.

Morris. An Ear-drop, it was found in her Boſom. Whilſt I was hunting after her, my Maid-ſervant, going up to make the Bed, found the Waiſtcoat, ripp'd at the Top, where *Davis* had put his Watch and Money.

Q. Are you ſenſible this is the Man that came in with that Woman as his Wife?

Morris. This *John Davis* is the Man that went to-bed with that Woman as his Wife.

Court. Well, in Point of Law, a Woman can't ſteal Things from her Huſband.

Q. Did he ſay that he was not her Huſband?

Morris. He did not.

Q. (to John Davis) What have you to ſay to *Suſannah*, the Wife of *Robert M^c^Kenſey?*

Davis. What I have to ſay, pleaſe you, my Lord, I was going home from the Houſe of Call; at the End of *Long-Acre* I met this Woman, the Priſoner; ſhe aſk'd me to treat her; I ſaid, Woman, if I go to-bed with you I will give you ſomething: She ſaid, Will you go to a Publick-Houſe by, or to my own Lodgings? I ſaid, I will go to your Lodgings, if you lodge by here; and went to Mr. *Morris*'s, (here preſent) and had ſomething to drink, and I paid for it; then we went up one Pair of Stairs, and ſhe went down again for a Pint of Small-Beer; in the mean Time I pull'd my Cloaths off my Back, and put my Money and Watch, and other Materials belonging to it, in the Lining of my Waiſtcoat, and I went to-bed with her. When I awak'd in the Morning, my Waiſtcoat, and all that I put in it, was gone.

Q. What was your Waiſtcoat?

Davis. Damaſk.

Q. What your Watch?

Davis. A Silver Watch, with a Silver Chain, and nineteen Shillings in Money: Alſo, I put a Pair of Silver Buckles, and an Ear-drop that was hanging to the Chain of my Watch.

Q. What did you do with your Waiſtcoat?

Davis. The Waiſtcoat was in my Coat, left on the Chair at the Bedſide.

Court. Then ſhe went to-bed with you.

Davis. I went to-bed, and ſhe came to-bed to me.

Q. When you awak'd in the Morning, what then?

Davis. I miſs'd the Woman, the Waiſtcoat, and all that I put in it. I went down Stairs, ſeeking for a Place to get out, but found none; I then knock'd on the Floor, and found a Man and Woman lying together; I apply'd to the Landlord to let me have my Things, for God's Sake, and ſaid I was ruin'd, and muſt not ſhew my Face any more; ſaid he, I will do my Endeavour to get your Waiſtcoat again.

Q. Did you get your Watch or Money again?

Davis (anſwering very mournfully) No, my Lord.

Q. How came you to indict her for ſtealing your Waiſtcoat, when ſhe left that, and it was produced before the Juſtice?

Davis. I don't know how that came.

Q. Have you any thing more againſt her?

Davis. She was the only Perſon that carried me into the Houſe. The Door was faſten'd when we went to-bed, by ſetting a big Chair againſt it.

Court. Then that was the only Faſtening the Door had, the Chair put againſt it.

Davis. Yes.

Q. Is that the Ear-drop?

Davis. This is the very Thing.

Q. (to Elizabeth King) What are you?

King. My Huſband being a Conſtable a Warrant was brought to me; I was deſir'd to go before Sir *Thomas De Veil*, they telling me the Priſoner was there; I went, and Sir *Thomas* order'd to ſearch her, and ſhe deſir'd it might be by one of her own Sex; upon ſearching her was found this little Heart, or Ear-drop: The Colonel aſk'd, who that belong'd

to,

to, and how it came there? ſhe ſaid ſhe did not know, it flew into her Boſom, as far as ſhe knew, for ſhe knew not how it came there.

Q. (*to Jane Morgan*) What do you know of this Matter?

Morgan. I know nothing more of it, than that the Juſtice order'd me to go to Mr. *Morris* and fetch the Waiſtcoat, and deſir'd me to keep it 'till the Trial: The Waiſtcoat was produced, with the Lining ripp'd by the Proſecutor to ſecure his Watch and Money, &c. and the Woman's rip at the Bottom to get it out.

Q. (*to the Priſoner*) What have you to ſay in your Defence?

Priſoner. He was with me laſt *Sunday* ſe'nnight; he ſaid then, that he would not appear againſt me. He knew that he had the Watch afterwards, ſpent eight Pence upon me, and ſaid he would not hurt me, and would fain have gone to-bed there at *Clerkenwell.* Acquitted.

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296. **Robert Parry** was indicted for ſtealing two Linnen Sheets, Value 2 s. 6 d. the Goods of *Michael Henderſon*, the 8th of *July*.

The Proſecutor nor Witneſs not appearing he was Acquitted.

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297. **Martha Scarborough** was indicted for ſtealing two Damaſk Napkins, the Goods of *Elizabeth White*, the 16th of *July* laſt.

The Proſecutrix not appearing ſhe was Acquitted.

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298. **Catherine Downes** was indicted for ſtealing nineteen Pounds Weight of Cheeſe, the Goods of *William Lovatt*, the 19th of *Auguſt* laſt.

The Proſecutor not appearing ſhe was Acquitted.

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299. **Mary King** was indicted for ſtealing, on the 22d of *July*, one Pair of Child's Stays, twelve Pence, one Holland Gown, the Goods of *James Flanagan*.

Neither the Proſecutor nor Witneſs appearing ſhe was Acquitted.

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300. **Daniel Bodemeyer** was indicted for ſtealing one Silver Tankard, Value 5 l. out of the Dwelling-Houſe of *Henry Burk*, the 18th of *July* laſt.

Q. (*to Henry Burk*) Do you know the Priſoner at the Bar, *Daniel Bodemeyer?*

Burk. On the 18th of *July* the Priſoner came into my Houſe, and call'd for a Pint of Beer (at the *Two Chairs* the Corner of *Warwick-Street*, *Charing-Croſs*); two Gentlemen were drinking a Tankard of Beer at the ſame Table: Theſe two Gentlemen went out and left the Tankard upon the Table; I know it, by reaſon they came to the Bar to me, and ſaid, *Burk*, take Care of your Tankard.

Q. Did you ſee the Tankard after they were gone?

Burk. When I came to my Wife, I aſk'd her if ſhe had taken the Tankard; ſhe ſaid, No: She ſaid Yes, at firſt.

Q. Did you ſee the Tankard after the two People had drank?

Burk. I did not.

Q. Did you go backwards to carry any Thing?

Burk. I went out of the Houſe to carry a Pot of Beer; when I came in again I miſs'd the Tankard.

Q. Was the Priſoner at your Houſe when the Tankard was miſs'd.

Burk. I know he took it away with him.

Q. Where did you find your Tankard again?

Burk. I found it under his Head in the Bed.

Q. Where did the Priſoner lodge?

Burk. He lodg'd in *Robin Hood's Court* in the *Strand.*

[The Priſoner was a Foreigner, therefore anſwer'd by an Interpreter.]

Court. Mr. Interpreter, tell the Priſoner at the Bar, what this Witneſs has ſworn, that he was at his Houſe the 18th of *July*; that he took away a Tankard from thence; that they went to his Lodgings and found him in Bed with the Tankard under his Head: Now aſk him what Queſtions he would aſk Mr. *Burk?*

Interpreter. He has no Queſtion to aſk but for Mercy.

John Lamburt. The ſame Evening Mr. *Burk* brought me a Search Warrant, I went along with him to this Man's Lodgings, where we found nothing; after that I deſir'd him to get out of his Bed, ſo between the Bed and the Sacking was found the Tankard.

Interpreter. He has nothing to ſay but that he begs for Mercy, and that he was drunk. Gentlemen, he tells you he is a Lieutenant in the *Hanoverian* Service. Guilty.

301. **Mary Smith** was indicted for ſtealing a Pair of Woman's worſted Stockings, the Goods and Chattels of *Richard Combs*.

Daniel Fryer. What have you to charge the Priſoner at the Bar with?

Fryer. She came the 6th of laſt Month to our Shop at *Holbourn-Bridge*, to Mr. *Combs*'s Shop; ſhe aſk'd to ſee a Pair of Stockings; this would not do, nor the other do; ſhe wanted a particular odd Colour: While I was looking them out, ſhe ſays you need not trouble yourſelf, I have fix'd upon a Pair I like very well; I am going to Mrs. *Harriſon*'s; my Miſtreſs heard her, for ſhe has been an old Offender at our Shop. My Miſtreſs ſaid follow her; accordingly I did, but inſtead of going over to the Upholſterer's Shop, ſhe went up *Shoe Lane*; ſhe croſs'd up a narrow dark Entry: I follow'd her, and aſk'd her if ſhe had not got a Pair of Stockings; ſhe ſaid I ſhould ſearch her. Whilſt ſhe was fumbling ſhe dropt a Pair of Stockings, ſo I happen'd to ſee them. I ſaid here are the Stockings which you took from our Shop; ſhe ſaid they ſtuck to her Apron, for ſhe did not know how they came there. She was aſk'd by my Lord Mayor, what Money ſhe had in her Pocket? She anſwer'd ſhe had none but a few Half-pence.

Q. Was ſhe acquainted with your Shop at all?

Fryer. She has been at the Shop two or three Times; we have two or three Memorandums that we can prove ſhe ſtole Stockings before.

Q. (to Edward Spink) What do you know of this Matter?

Spink. This Man following the young Woman, and overtaking of her, I was ſent for; when theſe Stockings were brought to me, they were a little wet. When ſhe was brought before my Lord Mayor, he ſaid are you not a fine Lady to go into a Tradeſman's Shop without Money.

Q. (to the Priſoner) What have you to ſay in your Defence? or have you any Witneſſes?

Priſoner. I have none at preſent. Guilty.

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302. **Mary Fountenow** was indicted for ſtealing 13 Handkerchiefs, 12 Cotton, and 1 Silk, the Goods of *Rebecca Powel*, the 21ſt of *July*.

Q. (to Rebecca Powel) What have you to lay to the Charge of the Priſoner?

Powel. She came to my Shop on the 21ſt of *July*.

Q. What Shop do you keep?

Powel. A Pawnbroker's.

Q. What Time did ſhe come?

Powel. Between Nine and Ten o'Clock: She aſk'd for a Linnen Handkerchief, ſo I reach'd down all my Handkerchiefs, and there was none to be found in her Name. Then ſhe told me that ſhe wanted a Saucepan that was laid for Sixpence; I told her I had no ſuch Thing in my Houſe, but I ſaid to ſatisfy her I would look; while I went backward to look, (it might be about ten Minutes) as ſoon as I return'd into the Shop, I ſaw her going out with that Bundle of Handkerchiefs I took upon her.

Q. Where is the Bundle?

Powel. The Officer has it. I carried her to the Watch-houſe.

Q. (to the Priſoner.) Would you have this Witneſs aſk'd any Queſtions?

Priſoner. I don't chuſe to take my Trial 'till my Things are deliver'd to me.

Q. What Things? To have her Things deliver'd to you?

Q. (to Nicholas Duke) What are you?

Duke. I am Headborough.

Q. Do you know any Thing at all of the Priſoner?

Duke. The Priſoner was brought to the Watch-houſe by Mrs. *Powel* the 21ſt of *July*; Mrs. *Powel* deſir'd I would take Notice what Things ſhe had upon her.

Q. Was the Bundle open'd?

Duke. I took the Things one by one by the Deſire of Mrs. *Powel*.

Q. Did Mrs. *Powel* lay Claim to them?

Duke. Mrs. *Powel* laid Claim to them all.

Q. What did the Priſoner ſay?

Duke. Not one Word, my Lord. Guilty.

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303. **Anne Goulder** was indicted for ſtealing a Linnen Cap, Value 6 d. two Linnen Aprons, Value 8 d. a Callimanco Petticoat, and 7 s. in Money, the Goods of *Thomas Roſe*. The Proſecutor not appearing ſhe was acquitted.

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304. **Mary Dobins** was indicted for ſtealing a Holland Shirt, Value 1 l. the Goods of *Henry Walbank*. Acquitted.

*** The great Number of material Trials in this Seſſions make it abſolutely neceſſary to publiſh them in two Numbers, the latter of which will be publiſh'd in a few Days.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 3d, THURSDAY the 4th, and FRIDAY the 5th of *September*,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Seventh SESSIONS in the MAYORALTY,

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VII. PART II.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

305. **JOHN Pagon**, otherwiſe **Pidgeon**, was indicted for privately ſtealing, on the 3d of *Auguſt*, a Silver Watch, a Seal ſet in Silver, and a Watch Key, the Goods of *Alexander Denker*.

Q. (*to Alexander Denker.*) What have you to ſay againſt the Priſoner at the Bar-

Denker. In the Place call'd *Spring-Garden Gate* I loſt a Silver Watch.

Q. When was that?

Denker. Between Eight and Nine o'Clock on *Sunday* Night.

Q. Was there any Thing to the Watch?

Denker. A Seal ſet in Silver and a Key.

Q. Whoſe Watch was it?

Denker. It was my own.

Q. How came you to loſe it?

Denker. When I came into the Paſſage there was a pretty great Crowd, and I was in a manner pinnion'd up.

Q. When did you look upon your Watch before?

Denker. Juſt before I put my Hand upon my Fob and ſaw the String of my Watch.

Q. How long after did you miſs it?

Denker. In leſs than eight Minutes time; that Woman (*Eleanor Morral*) declar'd upon her Oath ſhe ſaw that Man (the Priſoner) take it out of my Pocket.

Q. Do you remember ſeeing the Priſoner in the Crowd?

Denker. I remember ſeeing a Man of his Size; but I will not ſwear that he is the ſame Perſon.

Q. What Juſtice was you before.

Denker. Juſtice *De Veil.*

Q. When was it that you was before Sir *Thomas?*

Denker. On *Monday*, at Eleven o'Clock, I was laſt before Sir *Thomas De Veil*; I went alſo to the *Gatehouſe* by Sir *Thomas*'s Direction.

Q. When.

Denker. It was on *Friday*, when the Advertiſement was put out that any Perſon who had loſt a Watch might there ſee the Priſoner.

Court. Then you went to the *Gatehouſe?*

Denker. Yes, I went to the *Gatehouſe*, to the Woman that ſaw the Priſoner take the Watch out of my Pocket; when I got there I aſk'd for the Priſoner that had been committed by Sir *Thomas De Veil*; ſo *Eleanor Morral* came and ſat by me; ſhe ſaid that one *Pidgeon*, who was in *Clerkenwell Bridewell* was the Man that took the Watch out of my Pocket.

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtions?.

Priſoner. My Lord, aſk him if on *Friday* laſt in the Evening he did not come to *Clerkenwell.*

Denker. I was there, my Lord, and I aſk'd which was the Pickpocket that Sir *Thomas* had committed; *Jones* told me that he (the Priſoner) was the Man.

Priſoner. This Witneſs told me that he was the Perſon who had loſt his Watch, and that if I would give it him again no more ſhould come of it. My Lord, he ſaid it was that Day ſe'nnight when he loſt it.

Q. (*to Denker.*) Did you ſay it was the *Friday* before that you loſt the Watch?

Denker. I ſaid the 3d Day of *Auguſt.*

Court.

Court. Then you did not ſay it was the *Friday* before?

Denker. I did not, upon my Oath.

Q. (*to Eleanor Morral.*) What have you to ſay againſt the Priſoner at the Bar? Do you know him?

Morral. I have known him for five Months.

Q. What do you know of him?

Morral. I know him to be a noted Thief and a Pickpocket.

Q. What have you to ſay to the particular Fact for which he is indicted?

Morral. I ſaw him rob the Man that was here but now (*Denker*) of his Watch.

Q. When was it that you ſaw the Priſoner take the Watch from Mr. *Denker?*

Morral. It was laſt *Sunday* was a Month; he took it from him in the Paſſage to St. *James's-Park*, call'd *Spring-Garden Paſſage*; and he had ſeven more that Night: He gave it to his Wife, and ſhe gave it to me.

Q. Upon what Occaſion was you there?

Morral. I was a Servant to this Man and his Wife; I went a thieving as well as himſelf.

Q. Who was there beſides?

Morral. One *Thomas Caſe* and his Wife.

Q. Well, what became of it afterwards?

Morral. They took it from me at the *King's Arms* Tavern on *Ludgate-Hill*; that is the Houſe they uſed to go to; the Man that keeps the Houſe has but one Eye.

Q. Who went to the *King's Arms* Tavern?

Morral. This Man and his Wife.

Court. Then you ſaw the Priſoner at the Bar take the Watch?

Morral. Yes.

Q. What Watch was it?

Morral. A Silver Watch with an old green Riband, a Silver Seal and a Key to it; and two more that had no Seals to them, which I had in my Cuſtody.

Q. When did you make this Diſcovery?

Morral. On *Thurſday* ſe'nnight.

Q. How came you to make it?

Morral. I went of my own Accord before Sir *Thomas De Veil.*

Q. After you had made the Diſcovery what became of you then?

Morral. Sir *Thomas* order'd me to be ſent to the *Gatehouſe* for an Evidence.

Council for the Priſoner. I would deſire to know how ſhe came to be ſo particular with regard to this Watch?

Morral. Becauſe I had three Watches in my Cuſtody the ſame Night.

Council. Pray how came you to make this Diſcovery at all; or how came you not to do it ſooner? had you any Quarrel with the Priſoner?

Morral. I did not chuſe to go any longer with the Clan.

Council. How long have you been in the Clan?

Morral. Three Months, going on four.

Council. I wiſh you had left them ſooner. I would aſk you how you came to make it at that particular Time?

Morral. I did not care to go on in that Courſe of Life any longer.

Council. How came you to be ſo particular as to *Denker?* When he came to the *Gatehouſe*, did he ſpeak to you firſt, or you to him?

Morral. I ſpoke to him firſt.

Q. (*to —— Denker*) You loſt a Watch, What was to it?

Denker. A green Ribband.

Q. Was it a new one?

Denker. It was an old one, very much ſoil'd.

Q. Pray, when you went to the *Gatehouſe*, did the Woman ſpeak to you firſt, or you to the Woman?

Denker. The Woman ſpoke to me firſt.

Q. (*to the Priſoner*) What have you to ſay in your Defence?

Priſoner. This Woman I had no Acquaintance with; ſhe was an Acquaintance of my Wife's. I am lately come from *Liſbon.* I married my Wife in the Commons of *England* in *April* laſt; ſhe and this Woman fell out; ſhe ſtole her Hoop-petticoat, and when ſhe found her ſhe beat her. Pleaſe you, my Lord, ſhe alſo ſaid, before Sir *Thomas De Veil*, that it was a Gold Watch.

Morral. I did not ſay any ſuch Thing.

Sir Thomas De Veil's *Clerk being preſent reply'd to the Priſoner.*] Mr. *Pagon*, this was not upon that Affair; that is a Thing that happen'd ſince.

Q. (*to Mary Copeland*) What have you to ſay of the Priſoner?

Copeland. I work'd for the Priſoner's Wife.

Q. Do you know of any Quarrel between this Woman and the Priſoner's Wife?

Copeland. There has been no Quarrel as I know of.

Smith. The Evidence ſaid ſhe was a Servant of the Priſoner's.

Copeland. I have work'd theſe four Months for the Priſoner's Wife, and I know of no Servant that they keep; this Woman uſed to go backwards and forwards;

forwards; I heard of her going away with a Petticoat.

Q. (to Edward Johnſon) What are you?

Johnſon. I belong to the *Maryland* Brig.

Q. Are you in the Pay of that Ship now?

Johnſon. Yes.

Q. What do you know of the Priſoner at the Bar?

Johnſon. I knew him at *Liſbon*; he was the Maſter of the *St. Philip*; I ſaw the Priſoner there on Shore with *Engliſh* and *Dutch* Merchants.

Q. How long was this ago?

Johnſon. I believe 'tis better than four Months ago, and believe that he is now entitled to a pretty deal of Prize-Money: He always bore the Character of an honeſt Fellow.

Q. How long did you know him at *Liſbon?*

Johnſon. I knew him about ſix Weeks there.

Q. (to Anne Field) What is your Profeſſion?

Field. I pick and work Hair. The Priſoner has lately come from Sea; and when he courted and married this Woman he ſaid, when he took his Money he would make her a happy Woman; I never ſaw any Thing amiſs in his Behaviour. He beſpoke a Grizzle Wig of my Huſband, and he honeſtly paid for it.

Q. Have you known any thing of him within theſe two Months?

Field. I have a Mantua-maker lodges in my Houſe, and ſhe made two Gowns for his Wife.

Q. Is this the Mantua-maker, *Mary Copeland?*

Field. Yes, ſhe is the Mantua-maker.

Q. Do you know this Woman, (*Eleanor Morral?*)

Field. I have ſeen this Woman come to Mr. *Pagon* and his Wife ſeveral Times.

Anne White. I was a Servant to the Priſoner before he went to Sea, I have known little or nothing of him ſince. Guilty.

John Pagon, otherwiſe **Pidgeon,** was a ſecond Time indicted for ſtealing a Watch, the Property of *John Overy.*

Q. (to John Overy.) What have you to ſay againſt the Priſoner at the Bar?

Overy. I was coming thro' *St. James's-Park*, and my little Girl with me; between *Spring-Gardens* and the Door ſomebody gave me a Blow over my Breaſt, then took my Girl out of my Hand, then I loſt my Watch.

Q. When was this?

Overy. Laſt *Sunday* was a Month, about Eight o'Clock at Night.

Q. What was the Watch?

Overy. A Silver one.

Q. When did you ſee or feel your Watch laſt before you loſt it?

Overy. I know I loſt it in that Place.

Q. When did you feel for your Watch before? Can't you tell whether you look'd upon your Watch an Hour before, or what Time?

Overy. I had it I know a Quarter of an Hour before.

Q. Had you been in any Crowd before?

Overy. No, Sir.

Q. Who took it from you, do you know?

Overy. No, my Lord.

Q. (to the Priſoner.) Can you aſk this Witneſs any Queſtion?

Priſoner. I would willingly be inform'd who could put him upon this villainous Proſecution?

Q. (to Eleanor Morral.) What have you to ſay againſt the Priſoner at the Bar?

Morral. My Lord, coming thro' the *Park* I ſaw him take this Watch from the old Man, and the Child out of his Hand.

Q. When was this?

Morral. Laſt *Sunday* was a Month, my Lord; I ſaw him take the Watch; he gave him a Punch, and then took the Watch; the Child cry'd out, and ſaid, Daddy; and I ſaid, here's your Daddy.

Q. Did you ſee him take it away?

Morral. Yes, at the ſame time; and he gave it to his Wife, and ſhe gave it to me. When the Man came into the Gaol, I knew him at once; this is the Man, I don't know his Name.

Q. Upon his coming, did he ſpeak to you firſt, or you to him?

Morral. I to him.

Q. Did you know him again?

Morral. Yes, my Lord, tho' he had different Clothes on.

Q. What did you ſay to him?

Morral. I ask'd him, whether he did not loſe a Watch, an old-faſhion'd Watch; he aſk'd me how I came to know him; I ſaid, I knew him by his little Girl; and tho' the Girl came to me in a Diſguiſe Yeſterday, yet I knew her; he had the Clothes he has on now, a Claret Colour.

Q. Did you aſk him if he had a Child with him?

Morral. Aſk himſelf, my Lord, whether I did not?

Court. But I now aſk you.

Morral.

Morral. Yes, my Lord. My Lord, there was not ſix Minutes 'till he had three Watches. I ſaid the Child had a white Gown on then.

Q. What became of that Silver Watch?

Morral. What became of it! You put me to a hard Taſk to know what became of it; I gave it to *Pagon*'s Wife again.

Q. Where did you go afterwards?

Morral. To the *King's-Arms* Tavern on *Ludgate-Hill.*

Q. Was this the ſame Night that *Denker*'s Watch was taken?

Morral. Yes, the ſame Night; there were ſeven Watches that ſame Night.

Q. Have you any thing more to ſay?

Morral. Nothing more.

Q. (*to the Priſoner*) Would you have any Queſtion aſk'd *Eleanor Morral?*

Priſoner. 'Tis ſurprizing as ſhe had ſo many Watches in her Care that ſhe never kept none.

Q. (*to John Overy.*) Did you go to Sir *Thomas De Veil* to get Intelligence?

Overy. Yes, and he told me to go to *Bridewell* to ſpeak with this Woman.

Q. When was it you went?

Overy. The *Monday* or *Tueſday* after I loſt my Watch.

Q. When you went to *Bridewell*, who did you ſee there? Did you ſpeak to that Woman firſt, or ſhe to you?

Overy. She ſaid ſhe knew me directly.

Q. What Coat had you on when you went to this Woman in *Bridewell?*

Overy. A white Coat.

Q. What Coat had you on when you loſt your Watch?

Overy. This Coat I have on now.

Q. What was it the Woman told you when you was in *Bridewell?*

Overy. She told me the Man gave me a Blow, *&c.*

Q. Did ſhe ſay any thing to you when your Watch was taken from you of your having any Child with you, or did you mention it to her before?

Overy. No, ſhe mention'd it to me firſt?

Q. (*to the Priſoner.*) Will you aſk this Witneſs any Queſtion?

Priſoner. I deſire to know when that Woman was committed?

Q. (*to Henry Walbank.*) What are you?

Walbank. I am the Keeper of *Clerkenwell Bridewell.*

Priſoner. What I want to aſk him is, what Time *Eleanor Morral* was committed to *Bridewell?*

Walbank. To the beſt of my Remembrance it was laſt *Friday*; ſhe was ſent firſt to the *Gatehouſe* as an Evidence.

Q. (*to the Priſoner.*) What have you to ſay in your Defence?

Priſoner. My Lord, all that I have to ſay is, that ſhe is a villainous Woman, and it is a malicious Proſecution.

Q. (*to Mary Harris.*) What is your Buſineſs?

Harris. I keep a Publick Houſe, the *King's-head* in *Holbourn.*

Q. Do you know the Priſoner at the Bar?

Harris. I have ſeen the Priſoner; I have known him ſince *May* laſt.

Q. Have you been intimately acquainted with him? how often may you have ſeen him?

Harris. It may be twenty Times a Week he may have been in my Houſe, and had a very good Character; the Sailors ſhew'd him a great deal of Reſpect. I don't know his Neighbourhood. When he came to my Houſe, the Sailors, and ſo did the Gentlemen, uſed him with a great deal of Reſpect.

Q. (*to William Griffiths.*) What do know of the Priſoner? where do you live?

Griffiths. In *Horton-Street*, the Corner of *New-Inn Paſſage.*

Q. How long have you known the Priſoner?

Griffiths. I believe, about ſeven Years.

Q. Have you known him of late Years?

Griffiths. I have ſeen him ſeveral Times ſince *April* laſt.

Q. What has been his general Character?

Griffiths. I never heard any thing bad of it before this; I have been in his Company a great many Times.

Q. (*to Richard Young.*) Do you know the Priſoner?

Young. I know him, Sir; I live at home with my Father, who keeps a Pawnbroker's Shop; he has ſent ſome Clothes to my Father to pawn, and came with the Perſon to take them away, and paid for them.

The Woman (*Eleanor Morral*) deſir'd the Pawnbroker might be aſk'd if the Priſoner (*John Pagon*) had brought no Watches there to pawn. Guilty **Death.**

306. **Anne Stracey** was indicted for ſtealing a Pair of Copper Scales, Value 2 s. the Goods of *Richard Stratford*, the 8th of *Auguſt*.

John Egelſton. Pleaſe you, my Lord, ſhe came this Day ſe'nnight to my Maſter's Shop, Mr. *Stratford*; ſhe came for a Quarter of a Pound of Plumbs, and whilſt I was ſerving of her, ſhe took theſe Scales from off the Compter.

Q. Did you ſee her take them?

Stratford. I did not ſee her; I ſtopt her, and ſaid I believe you have ſomething more than your own; ſhe deny'd it at the firſt, and made very little Defence, but took them from under her Apron, and gave them to me.

Q. (to the Priſoner) What have you to ſay in your Defence?

Priſoner. Pleaſe your Lordſhip, I went into the Shop to buy ſome Plumbs; while he was ſerving me I took up the Scales to look upon them, and laid them down again, not with any Deſign to ſteal them. Guilty.

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307. **Anne Black** and **Sarah Fox** was indicted for ſtealing one Silver Watch, Value 3 l. and one Braſs Seal, Value 3 d. the Goods of *Thomas Hallum*, the 4th of *July*.

Thomas Hallum. What have you to ſay againſt the Priſoner at the Bar?

Hallum. The 4th of *July* I was coming from *Mile-End*, very much in Liquor, and I was coming by the Place where the Priſoners at the Bar live: *Anne Black* goes for the Miſtreſs of the Houſe; and going by there, they pick'd me up between Ten and Eleven o'Clock, my Lord, at Night.

Q. Which of them pick'd you up? Upon your Oath do you know which it was?

Hallum. Not the further one, *Sarah Fox*, ſo they took and led me into the Houſe.

Q. How do you mean, led you in?

Hallum. They ask'd me to go in, and they gave me ſomething to drink; then they ask'd me to ſtay all Night: I ſaid I muſt go home to my Father's Houſe, or I ſhould be lock'd out: I pull'd out my Watch, and it was a little after Eleven o'Clock.

Q. Then they ask'd you to lie there?

Hallum. Yes, my Lord. I pull'd out my Watch, and it was almoſt Eleven o'Clock; I ſaid I was oblig'd to go home; they ſaid No, no, can't you ſtay all Night: In a little Time I fell aſleep, and laid there all Night.

Q. What then?

Hallum. Then when I awak'd in the Morning, *Sarah Fox* laid by me.

Court. Then you remember your going to Bed?

Hallum. I remember I fell aſleep.

Court. Then you did not go into Bed? Did you mean only you laid down upon the Bed?

Hallum. I was not in the Bed.

Q. Were both the People in the Room when you fell aſleep?

Hallum. I can't ſay, my Lord.

Court. Then you did not awake 'till Morning? Then you found *Sarah Fox* a-bed with you?

Hallum. I was not in Bed, but upon the Bed. When I awoke in the Morning, I put my Hand in my Pocket to find my Watch; I found it was gone; ſhe *(Sarah Fox)* ſaid my Watch was above Stairs: I deſir'd ſhe would call her Miſtreſs down Stairs; when her Miſtreſs came down, I ask'd her for my Watch; ſhe told me ſhe knew nothing of my Watch, and ſaid to me you, ſaucy Raſcal, how would you like to be nab'd?

Q. What was *Anne Black*'s Anſwer?

Hallum. She call'd me little Dog; and aſk'd me how I ſhould like to be nabb'd. When I came out of the Houſe I felt for ſome Bills of Sale I ha in my Pocket, and they were gone.

Q. What is your Buſineſs?

Hallum. I am a Lighterman, pleaſe you, my Lord.

Court. So you went out of the Houſe when ſhe ſaid ſhe would have you nabb'd? Which of them will you ſwear has pick'd your Pocket? if you can't ſwear it, there is an End of the Proſecution. Here are two Perſons indicted for privately ſtealing your Watch, *&c.* which of them can you ſay is the guilty Perſon. If you have no other Evidence, you muſt reap the Fruit of your own Folly for going to ſuch wicked Places.

The Proſecutor's Father ſaid that *Bob Black* told him he had been along with the B———s ſeveral Times. Acquitted.

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308. **Anne**, the Wife of **William Grey**, was indicted for ſtealing one Silver Tea Spoon, Value 18 d. one Feather Pillow, one Head Cloth, one Box Iron, the Goods of *Hannah Gaudy*.

Q. (to Hannah Gaudy) What have you to ſay againſt the Priſoner at the Bar?

Q. What are you?

Gaudy. A Widow. I let her a ready-furniſh'd Lodging the beginning of *July*.

Q. Well

Q. Well, and has ſhe left it?

Gaudy. Yes.

Q. Have you loſt any Thing?

Gaudy. Yes, a Pillow, Valens and Head-Cloth, a Laced Mob, a Box-Iron and a Silver Tea-Spoon.

Q. What have you to ſay againſt the Priſoner with reſpect to theſe Things?

Gaudy. They were taken out of her Lodgings by the Conſtable. I miſs'd ſome of the Things and told her of them to her Face, but ſhe was diſorder'd; I told her ſhe might be in a better Temper in the Morning; and at Three o'Clock in the Morning ſhe went away.

Q. What Time did you meet with her?

Gaudy. I got up about Seven, and about Eleven o'Clock I found her in *Old-Street.*

Q. How came you to get Intelligence of her?

Gaudy. There was *Green*, a Soldier with her at my Houſe. I thought ſhe might be there, and a Young Man went and took her at a Publick-Houſe.

Q. Where did ſhe ſay the Things were?

Gaudy. She ſaid they were pawn'd, the greateſt Part of them in *Playhouſe-Yard.*

Q. Did you meet with any of your Things?

Gaudy. Here they are.

[The Goods were produced in Court.]

Q. (*to the Priſoner*) Would you aſk this Woman any Queſtions?

Priſoner. There is a Clout mark'd with my Mother's Maiden Name.

Q. (*to John Eggington*) What do you know of this Matter?

Eggington. I am Headborough; I was ſent for to take charge of the Priſoner for ſtealing theſe Things; ſhe had taken them out of her Lodgings. when I came ſhe own'd the Fact, and told where they were; I had a Warrant and fetch'd Part of them out of *Playhouſe-Yard*, and Part of them out of *Old-Street*; the Woman own'd there were more Things in *Playhouſe-Yard*, but we could not find them.

Q. *(to the Priſoner)* What have you to ſay for yourſelf?

Priſoner. Pleaſe you my Lord I have nothing to ſay for myſelf but muſt ſubmit to the Mercy of the Court. Guilty 10 d.

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309. **William Warler** was indicted for ſtealing ſeveral Braſs Eſcutcheons from certain Perſons unknown.

Q. *(to Stephen Lyon)* Do you know the Priſoner at the Bar?

Lyon. I have ſeen him before; the 19th of *June*, about Four o'Clock in the Morning, I thought I ſaw him unlocking 'Squire *Barber*'s Door; he was down upon his Knees and looking thro' the Key-Hole; when I ſaw him I directly ran down Stairs and ſtepp'd to him; he had got the Eſcutcheon off the Door; I took the Chiſel in his Hand; and he own'd to me that he took an Eſcutcheon off a Door the Moment before, at the Corner of *James-Street*: I carried him from thence to the *Crown*, then we acquainted Mr. *Barber*'s Folks of it before we went before the Juſtice; we examin'd him before the Conſtable, and he had 13 of theſe Braſs Eſcutcheons; we alſo found a Pick-Lock in his Pocket.

Q. (*to the Priſoner*) What have you to ſay for yourſelf? Have you any body to call to your Character?

Priſoner. I was a hard working Man and in Liquor.

Q. *(to George Levenſton.)* What have you to ſay on the behalf of the Priſoner?

Levenſton. I work'd Journeywork with this Man at one Mr. *Jones's*; he is a Locksmith by Trade: That which the Man calls a Picklock is what they always carry about with them.

Court. Very proper to take off Braſs Eſcutcheons.

Levenſton. He work'd with one one Mr. *Jones* on *St. Mary-Hill*, as I did; he is a Fellow that will get drunk ſometimes. Guilty, Tranſportation.

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310. **Mary Tilley** was indicted for ſtealing a Pair of Shoes Value 2 s. a Pair of Silver Claſps Value 4 s. a Linnen Cap, *&c.* the Property of *James Keith.*

Q. What have you to ſay to the Priſoner at the Bar?

Keith. This. When I went from my Houſe I lock'd my Door, on the 9th of *July*; I went out between Eleven and Twelve o'Clock; afterwards I was inform'd that the Priſoner broke open the Door, and I came back and found it ſo.

Q. *(to Anne Keith)* What have you to ſay againſt the Priſoner?

Keith. When I found the Priſoner at the Bar ſhe had my Cap upon her Head.

Q. Where did you find the Priſoner;

Keith. I found her the ſame Day the Door was broke open.

Q. Where did you meet with her?

Keith. In *Broad-Sreet*, and ſhe had got my Cap upon her Head, with the reſt of the Goods.

Q. Where

Q. Where are the reſt of the Goods?

Keith. I can't tell.

Q. Where is the Cap?

Keith. I have it in my Hand.

Q. (*to the Priſoner*) What have you to ſay for this?

Priſoner. Pleaſe you my Lord this *James Keith* and I have been many Years acquainted: She and I had Words together, and ſhe pull'd off my Cap. Acquitted.

[The Proſecution appear'd to be chiefly the Effects of a Quarrel.]

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311. **Mary Jennings** was indicted for ſtealing a Linnen Shirt, three Linnen Clouts, a Petticoat, *&c.* the Goods of *James Griffis.*

Q. (*to Griffis*) What have you to ſay againſt the Priſoner?

Griffis. This Woman, on the 13th of *July*, came up a Pair of Stairs in the Gallery in the Stable-Yard, *Southampton-Row*, *Bloomſbury*, between Three and Four in the Morning.

Q. How do you know ſhe came up there?

Griffis. My Wife awaken'd me and I follow'd down in my Shirt into the Row.

Q. Where did you overtake her?

Griffis. I overtook her at the End of *Southampton-Row*; then I ſeiz'd her and found the Things upon her.

Q. What Things?

Griffis. A Shirt, a Woman's Petticoat, three Clouts, a Pair of Stockings, an Apron and a Wrapper.

Q. Where were theſe Goods taken from?

Griffis. She unbolted an Iron Bolt at the Top of the Stairs. Guilty.

312, 313. **Robert Tyth** and **Anne** his Wife were indicted for ſtealing a Rugg, Value 4 s. two Blankets, Value 3 s. a Linnen Sheet Value 3 s. a Looking-Glaſs Value 3 s. and a Pair of Bellows Value 2 s. the Goods of *Mary Williams*, Widow.

[The Proſecutrix not appearing they were acquitted.

314, 315. **Felix Mathews** and **Anthony Mathews**, were indicted for aſſaulting and wounding *John Lewis* upon the King's Highway, near the Pariſh of *Hendon*, and putting him in bodily Fear and Danger of his Life, and robbing him of his Hat, Perriwig, two Ounces of Green Tea, a Thirty-ſix Shilling Piece, one Guinea, and Half a Guinea in Gold, twenty Shillings in Silver, *&c.* the Goods of the aforeſaid *John Lewis*, on the 22d of *July*.

Q. (*to John Lewis.*) Mr. *Lewis*, look at the Priſoners at the Bar; do you know either of them?

Lewis. There were five of them when they robb'd me; I believe them to be two of the Men.

Q. What have you to ſay againſt them?

Lewis. The 22d of *July*, as I was going home.

Q. From whence?

Lewis. From *London* to *Hendon*, In *Hall-Lane*, near Nine o'Clock, as I was going along, I heard a Man whiſtle in the Lane. 'Tis a little on this Side the eight Mile Stone.

Q. What then?

Lewis. I turn'd back, and ſaid, what do you want; before I turn'd myſelf again, there were four of them that ſtruck me; I believe they gave me four or five Strokes before they beat me off the Horſe; they took hold of me, and tore my Shirt; one took hold of my Legs, another of my Head, two held my Arms, and carried me into the Field, and there they rifled me; they took from me a Thirty-ſix Shilling Piece, one Guinea, Half a Guinea, twenty-Shillings in Silver, an Handkerchief, five Pounds of Sugar, two Ounces of Green Tea, a Steel Breeches-Buckle, a Pair of Knee-Buckles of White Metal, and a Pair of Buttons out of my Sleeves. After they had done this, they lifted me about three Poles farther, and with that I begg'd of them my Hat and Wig; I begg'd of them my Wig to cover my Wounds: One of them clapt his Hands to my Throat, and almoſt ſtrangled me.

Q. What did they mean by carrying you further in the Field?

Lewis. I believe they heard ſomebody coming along the Highway. When they had almoſt throttled me, I aſk'd them of what Service it would be to them to kill me? and one of them tied my Hands, and the other my Legs, and bid me huſh: They tied my Hands behind me.

Q. What then?

Lewis. After they had done that they ſaid, Your Horſe is in next Field, and away they went.

Q. When was this?

Lewis. The 22d of *July*.

Q. When did you ſee the Priſoners at the Bar?

Lewis. I was ſome Time before I could get myſelf from being bound, and then I had four Hedges

to

to go through; I made Leaps, I did not care to go the Road. I went home on Foot, and rais'd all my Neighbours.

Q. What Reaſon have you to ſay the Priſoners at the Bar committed this Robbery?

Lewis. Sir *Thomas De Veil* ſent to me, to let me know he had got the Sugar and Tea that they had of me. [The Sugar and Tea was produced in Court.]

Q. I would aſk you, Is that the Sugar and Tea you loſt that Night?

Lewis. It was in a Handkerchief; I believe this to be the Sugar; it was all in one Piece, or there might be a Bit laid at the Top to make up Weight; alſo the Hat is in Court.

Q. Where did you ſee the Hat?

Lewis. Sir *Thomas De Veil* gave me this Hat, and I believe this Buckle is mine.

Q. Was the Priſoner at the Bar before Sir *Thomas* when theſe Things were ſhewn to you?

Lewis. Yes. I was a Month before I got to Town.

Q. Who was the Hat found upon?

Lewis. The Hat was found upon him that is turn'd Evidence.

Q. What is the Man's Name?

Lewis. Patrick Short.

Q. (*to the Priſoners*) Would either of you aſk Mr. *Lewis* any Queſtions?

Priſoners. We don't know the Man at all.

Q. (*to Patrick Short*) Do you know the Priſoners at the Bar?

Short. Yes; I knew them a Week before we met Mr. *Lewis.*

Q. What do you know of Mr. *Lewis*'s being robb'd?

Short. I was in Company along with them, my Lord.

Q. Was you concern'd in the Robbery?

Short. I was along with them, with *Anthony Mathews* and *Felix Mathews.*

Q. Who were the other?

Short. Patrick Donnily and *Owen Scot.*

Q. What did you Five do to Mr. *Lewis?*

Short. We ſtruck and abus'd him, and tied him.

Q. Where did you meet Mr. *Lewis?*

Short. Half a Mile below *Hendon:* It was between *Hendon* and his own Houſe.

Q. Who was it that attack'd him? who ſtruck Mr. *Lewis?*

Short. Patrick Donnily ſtruck him firſt.

Q. What were your Weapons?

Short. All Sticks.

Q. What did you do to him?

Short. Tied him, and carried him into the Field, and took all that he had.

Q. Was he knock'd off from his Horſe?

Short. Yes, my Lord.

Q. What then?

Short. Then we took him into the Field with us.

Q. What did you do then?

Short. Tied him, my Lord, and got his Money of him.

Q. What did you take from him, and who was it?

Short. Patrick Donnily took it; I can't tell how much there was; it was not divided.

Q. Was there any thing elſe beſides the Money?

Short. His Hat and Wig, my Lord.

Q. Who had the Hat?

Short. I had the Hat, my Lord, and Wig, and I gave it to a Woman in the Town; I don't know who, I was drunk.

Q. What elſe did you do to him, after you had taken his Hat and Wig.

Short. We tied him, and left him there. *Patrick Donnily* tied him.

Q. What did the two Priſoners do?

Short. They ſtruck him.

Q. Did you ſee them both ſtrike him?

Short. Yes, my Lord, we all ſtruck him.

Q. When did you make a Diſcovery of this?

Short. I made a Diſcovery of this when I was taken in Town here.

Q. Who had the Sugar and Tea?

Short. Felix Mathews had it, and ſold it to this Gentlewoman here.

Q. Was you before Sir *Thomas De Veil?*

Short. Yes, the firſt Day I was taken.

Q. How long after the Robbery was committed was you taken?

Short. The Robbery was committed on *Tueſday*, and I was taken on the *Thurſday.*

Q. When were the Priſoners at the Bar taken?

Short. They were taken on the *Friday.*

Q. Who diſcover'd where they were.

Short. I did, my Lord.

Q. Were you along with the Perſons that took the Priſoners?

Short. No, my Lord, I was not; we were all of us at the Woman's Houſe, but the other made of.

Mary Roſe. I keep a Publick Houſe in *Bloomſbury-Market*; on the 23d of *July* five Men came in and call'd for a Pot of Beer.

 Q. Were

Q. Were the Priſoners at the Bar two of the five?

Roſe. I can't be poſitive.

Q. When they had call'd for the Pot of Beer, what then?

Roſe. They ſat down, Sir, and drank ſix Pots of Beer and a Pint of Cyder; one of them (which I can't ſwear to) ask'd me if I wanted any Sugar; I ſaid, No; the Man ſaid that he had bought a Quantity of Sugar for a Shopkeeper in the Country, and ſaid he had this over and above upon his Hands; he ſaid it coſt him 10 d. a Pound: I ſaid I could buy it cheaper of my Neighbours, ſo I gave him 8 d. The Evidence (*Short*) was one of the five, he came again.

Court. Then *Short* is the Man you know?

Roſe. I know him as I ſaw him a ſecond Time. I then ſaw none but this Man, and the Man that apprehended them.

Q. Was he taken at your Houſe?

Roſe. Yes, when they came again to our Houſe on *Thurſday* Morning.

Q. (*to the Priſoners*) Will you ask this Witneſs any Queſtions?

Priſoners. No, my Lord.

Q. (*to Short*) What Time was the Robbery committed?

Short. About Nine o'Clock at Night.

Q. What did you do after you had robb'd that Gentleman?

Short. We came ſtrait on for *London*; we ſlept in the Fields 'till Morning.

Sarah Burtle. Mrs. *Roſe* deſired me to take Care of her Houſe, as ſhe was ill. Theſe Men came in and called for Beer; there were five of them that Morning that came in and call'd for Beer; they came two or three Times and asked for ſome Name.

Q. Do you know *Patrick Short?*

Burtle. I ſhewed him into the Box when there was a Cry of Highwayman. A Man made a Cry of Highwaymen, and they run out; they had been in the Houſe four or five Hours that Morning; they asked for two Farthings for a Half-penny to pay every one alike. This Gentlewoman bought the Sugar the Day before.

Q. Who diſcovered them to be Highwaymen?

Burtle. James Murphy.

Q. How many made their Eſcape?

Burtle. I believe three, my Lord.

Court. Then it was you that ſtopt *Patrick Short?*

Burtle. Yes; I thought all Things were not right; I ſaid you muſt not have People's Liquor and not pay for it. They might all have been taken were it not for *James Murphy*'s Cry of Highwaymen.

Stephen M'Donald. One *Sergeant* came to me the 24th or 25th of *July*, and asked me to go and take two Highwaymen.

Q. Did you go along with him?

M'Donald. Yes, my Lord, I went up into *Red-Lyon-Square.*

Q. Was there any Publick Houſe?

M'Donald. There was in the Square.

Q. What Time was this?

M'Donald. About Eleven o'Clock in the Morning; when I came into *Red-Lyon-Square*, I ſaw both the Priſoners; when I laid hold of *Felix Mathews* he put his Hand in his Pocket to pull his Piſtol out; he had a large Stick under his Arm, and I took it away and knocked him down; we took them both and ſearched them; there was this Sugar and Tea, and this is the Powder they had in their Pockets, this Rope, and theſe Balls.

Q. In whoſe Pocket were theſe found?

M'Donald. In *Felix Mathews*'s; all the Things produced in Court, I took from *Felix Mathews*, 7 s. or thereabouts.

Q. (*to the Priſoner*) Will you ask him any Queſtions?

Priſoner. I demand my Money that he took from me.

M'Donald. He would be carried in a Coach, &c. the Money was ſpent except a Shilling, which I gave him back in *Bridewell.*

Priſoner. My Lord, the Ball and Powder the Witneſs put into my Pocket himſelf.

Q. (*to George Worthy*) Do you know the Priſoners at the Bar, *Felix Mathews*, &c. was you along with the laſt Witneſs?

Worthy. Yes.

Q. What was found upon *Felix Mathews?*

Worthy. This Piſtol and Ball he took out of his Pocket.

Court. Then he did not put it into his Pocket?

Worthy. No, my Lord.

Q. (*to the Priſoners*) What have you to ſay in your Defence?

Priſoners. What has been ſworn againſt us is only to entitle them to the Reward.

Q. Have you any Witneſſes to your Character, &c.

Priſoners. No, my Lord, we are Strangers.

Both Guilty. **Death.**

316, 317. Thomas

316, 317. **Thomas Smith** and **Thomas Barrow** were indicted for ſtealing a Coach Seat, the Goods of *John Edger*, and in it one Yard of Silver Cord, a Capuchin, and Wearing Linnen of various ſorts, the Goods of *Caleb Harding*, Eſq; the 5th Day of *July*.

Q. (*to Anne Harding*) Madam, Do you know either of the Priſoners at the Bar?

Harding. I believe I know one of them; that Man in a blue Coat, *Thomas Smith*, I ſaw him at Sir *Thomas De Veil*'s.

Q. Did he at any Time rob you of any Thing?

Harding. I came in a hired Coach from *Derby*: The Coachman was to drive me into the City to my Brother's in St. *Paul*'s *Church Yard*; but as he was not willing, I complied to be ſet down at *Rathbone Place*; ſo the Things were taken out of the hired Coach and put into a Hackney Coach.

Q. Well, what did you loſe?

Harding. There was Wearing Linnen of all ſorts, a Silk Capuchin, Aprons, &c.

Q. What Day did you come to Town?

Harding. I believe the 5th of *July*.

Anne England. I live with Dr. *Caleb Harding*.

Q. When did you come to Town?

England. About the 5th of *July*, we came in a hired Coach.

Q. When you got to Town, what then?

England. We came in one *John Edger*'s Coach.

Q. Was there any Difficulty made about going into the City?

England. The Coachman refuſ'd to go; upon that a Hackney Coach was call'd, and we were ſet down in *Rathbone Place*.

Q. Was either of the Priſoners the Driver of the Hackney Coach?

England. Yes, that Man in blue.

Court. Then the Things were put out of the Coach that you came to Town in, into a Hackney-Coach.

England. Yes; there was a Coach Seat that came out of the Country put into the Boot of the Hackney Coach.

Q. Do you know what Things were in that Coach Seat?

England. I don't know all of them; there were a great many Things.

Q. What, Things that belong'd to you.

England. Yes; a red Rugg Cloak and a Velvet Bonnet, that belong'd to me.

Q. Had your Lady any Things in it?

England. Yes, Sir, there were a great many Things, I can't particularly ſay.

Q. Did you go in the Hackney Coach to St. *Paul*'s *Church-Yard* to Mr. *Thornhill*'s?

England. Yes. And when I came there I miſs'd the Coach Seat, and enquir'd for it after the reſt of the Things were out.

Q. Had you the Seat ſent again.

England. No, Sir,

Q. Did any Thing happen to you between *Rathbone-Place* and St. *Paul*'s *Church-Yard*?

England. Yes, Sir, it happen'd to rain, ſo the Coachman got off his Seat and ſaid he would go for his Great-Coat.

Q. Where did he ſtop the Coach?

England. I can't tell Sir; I am almoſt a Stranger in *London*.

Q. When he went for his great Coat, was any Body left there to take Care of his Horſes?

England. He ſaid he would leave one to take Care of his Horſes.

Q. How long was he away.

England. I think about a Quarter of an Hour.

Q. Have you any Thing more to ſay?

England. When I aſk'd him about the Seat he ſaid there was no ſuch Thing; I ſaid it was committed to his Care.

Q. What was the other Man?

England. He was the Man that was with him upon the Box; he own'd that he was there himſelf, I can't ſwear to him.

Court. Then *Thomas Barrow* own'd that he was with the Coachman; but you don't know it upon your own Knowledge?

England. I ſaw the Coachman take up ſome Body, but I could not tell who.

Q. What did he ſay when you aſk'd for the Coach Seat?

England. He ſaid there was no ſuch Thing; I ſaid he had ſuch a Thing.

Q. (*to Catherine Tornhill*) Miſs, will you tell us what you know of this Matter? Did you come with Madam *Harding* in the hired Coach?

Thornhill. Yes, Sir.

Q. Had you any Words with the Coachman about carrying you into the City?

Thornhill. My Siſter would have had him brought us to St. *Paul*'s, but he refuſ'd.

Q. What was the Conſequence of that?

Thornhill. There was another Coach got.

Q. Did you go to St. *Paul*'s?

Thornhill. I was ſet down at *Rathbone-Place*.

Q. Had you any Thing in the Coach?

Thornhill. Yes.

Q. What was there of your's?

Thornhill.

Thornhill. There was a Capuchine in the Coach Seat, *&c.*

Q. Do you know either of the Perſons at the Bar?

Thornhill. No, Sir; I ſaw one of them, the Man in Blue, at Sir *Thomas De Veil*'s.

Q. Was he the Perſon, the *Hackney* Coachman, that you call'd?

Thornhill I did not ſee him.

Q. (to the Priſoner) Would you have Mrs. *Harding*, the firſt Witneſs, or Mrs. *England*, aſk'd any Queſtions?

Priſoner. Did I take the Box out of the Boot, or make away with it?

England. I told him that he had ſuch a Thing in his Charge: I aſk'd him what he had done with it? he ſaid he could not tell what was become of it.

Q. (to George Budby) Do you know either of the Priſoners at the Bar?

Budby. I brought theſe Gentlefolks in a Coach and Four from *Derby*.

Q. Who did the Coach belong to?

Budby. To Mr. *Edger*.

Q. When was it?

Budby. The 5th of *July* laſt we came to Town, and I ſet them down at *Rathbone Place*.

Q. When the *Hackney* Coach was call'd, did you aſſiſt in putting up the Seat into the Coach?

Budby. I put it into the Boot myſelf, my Lord.

Q. Who was the Driver of this *Hackney* Coach?

Budby. Thomas Smith; and the other Priſoner was along with him.

Q. You ſay the Driver was *Thomas Smith*, and the other was on the Side of him; do you know any thing of him?

Budby. They ſtopp'd at the *Black-Horſe* at *Rathbone Place*, and drank a Dram of Gin.

Q. Were they off the Box or on when they drank a Dram?

Budby. On the Box.

Q. (to William Carrier) Do you know the Priſoners at the Bar?

Carrier. I know *Thomas Smith*.

Q. What do you know of this particular Fact?

Carrier. I know nothing of this particular Fact, no farther than this; that Mrs. *Harding* wanted to know whether the Coach Boot was fit to carry the Seat in or not; that young Man, (*Smith*, the Priſoner) is my Servant; I ſaid the Boot would carry ſuch a Thing if it had no Hay in it.

Q. Was there any Hole in the Boot?

Carrier. No, my Lord, it was very good.

Q. (to Budby) You put the Seat into the Boot of the Coach, was there any Hay in it?

Budby. None, my Lord, but the Box went down to the Bottom.

Q. Do you think that there was any Likelihood of its being jolted out?

Budby. Hardly any two Men could take it out without ſtanding upon the Bar to lift it by main Strength.

Q. You ſay the Coach Seat was very full.

Budby. As full as I could well lift.

Q. (to Mary Carrier) What Relation are you to *William Carrier*?

Carrier. I am his Wife: The Boy came to me between Eight and Nine o'Clock at Night for his Coat.

Q. What Time did he come to you?

Carrier. Between Eight and Nine o'Clock, I think, on *Saturday* Night; he did not ſtay at all with me; I gave him the Coat, and the Coach ſtopp'd in *Denmark-Street*.

Q. (to Thomas Thornhill) Will you pleaſe to tell the Jury what you know of this Matter?

Thornhill. Smith, the Priſoner at the Bar, brought Mrs. *Harding*'s Servant to my Houſe, which is *Anne England*, the Witneſs.

Q. What Time of the Night?

Thornhill. It was dark when they came to us; it might be between Eight and Nine o'Clock at Night when the Maid came; there was, I believe, ſix Boxes taken out of the Coach; ſhe came into my Shop, and ſaid, Where is the Coach Seat. The Boy, *Thomas Smith*, at firſt, deny'd that he had it at all, and that he believ'd it was put into the other Coach: That the Gentry were coming with it. I believe theſe were his very Words.

Q. Did that Anſwer ſatisfy? was there any farther Enquiry made?

Thornhill. The Maid herſelf ſaid, that ſhe ſaw it put into the Boot; upon which he then ſaid, it was loſt at my Door; that ſomebody had ſtole it after he had been charg'd with it: He ſaid my Servants had robb'd him. I ſaid they were my Servants, and I would be anſwerable for them.

Q. Was there any body with him?

Thornhill. There was a Boy with him, but I can't ſwear to him.

Court. Then *Thomas Smith* fell a ſwearing, and ſaid ſome of your Servants had robb'd him?

Thornhill. Yes, moſt impudently, Sir.

Q. What paſs'd then?

Thornhill.

Thornhill. He would have gone away from the Door, and I told him he ſhould not go 'till the other Coach came; I expected Mrs. *Harding* and Miſs. He then ſaid he would ſtay 'till it did come.

Q. And did he?

Thornhill. I went up to inform Dr. *Harding* of the Affair; he was in my Houſe. While I was telling the Doctor what he ſaid, he drove away. Dr. *Harding* flung up my Windows to bid him ſtay; he anſwer'd, with an Oath, D——n his Blood, or ſomething of that Kind, he would not ſtay for him, nor no-body elſe.

Q. Which of them ſaid that?

Thornhill. *Smith* was then upon the Box, I believe, Sir. I think, when I ſaid he ſhould ſtay, the other Boy went away. The Morning after *Smith* was taken up; when he came to my Houſe in order to be taken before Sir *Thomas De Veil*, he deny'd that he had any body with him at all, 'till I had given him ſome particular Account of it; then he confeſs'd that he had ſomebody with him.

Q. Was you before Sir *Thomas De Veil?* Did any thing remarkable paſs there?

Thornhill. No, Sir, I think not.

Q. (*to Dr. Harding*) Pleaſe to mention what you know concerning this Affair.

Harding. I muſt ſay this, as a pauſible Plea for the Priſoner; it did rain pretty hard when I call'd to him, and aſk'd him whether he would not ſtay, to comply with his Promiſe, 'till the other Coach came up to clear up the Matter; he anſwer'd, D——n your Blood, I will not ſtay for you, nor any Man breathing. When I was before Sir *Thomas De Veil*, the other Priſoner confeſs'd he was along with *Thomas Smith* the whole Time.

Q. (*to Daniel Herd*) What do you know of this Matter?

Herd. Upon the 6th of *July*, early in the Morning, I receiv'd a Note from Dr. *Harding*, to go to Mr. *Edger*; which I did, and told him that I wanted to enquire of the Man that drove the Coach laſt Night: So we went into *Tyburn* Road, and call'd him up, and I deſir'd him to go with me to find out the Man that drove the Hackney-Coach laſt Night, No. 190. So he aſk'd another Man if he knew the Priſoner at the Bar, calling him by a Nick-Name; he ſaid, Yes, and that he had burnt almoſt a whole Candle that Night, and he did not come home; another Man made Anſwer, he believ'd he was aſleep in the Hayloft: The Man went down, and came up again, and ſaid he was there. So I ſpoke to him, and aſk'd him if he knew any thing of a Coach Seat that was loſt laſt Night; the Coachman ſaid to him, Did not you and I put it into the Coach? then he ſaid he did carry it to *St. Paul's* Church-Yard, and that he ſet his Feet upon it; but at firſt he ſaid nothing of it, which made Mr. *Budby* give him ſome raſh Words, and ſay to him, Did not I help you to put it in myſelf? Then he anſwer'd, he had carried it to Mr. *Thornhill's* in *St. Paul's* Church-Yard. The Man that brought me the Note for my Maſter told me, that there was another Man came along with him. I aſk'd *Smith* whether ſomebody did not get upon the Coach at *Rathborne-Place*, when he drank a Dram with him; he ſaid, Yes, but he went no farther; but afterwards confeſs'd that he went along with him all the Way.

Q. (*to the Priſoner Smith*) What have you to ſay by way of Defence?

Priſoner. Pleaſe you, my Lord, I was call'd from *St. Anne's Place*; there was this Box to carry, and it began to rain; I went for my Great-Coat, and when I ſtopp'd in *Denmark-Street* every Thing was ſafe.

The Priſoner at the Bar, *Barrow*, confeſs'd he went with him to *St. Paul's* Church-Yard, and he deliver'd the Things, &c.

Q. (*to Joſeph Everit*) What do you know of the Priſoners?

Everit. I have known *Thomas Smith* from a Child, and never knew any Thing of him but what was honeſt: I have truſted him out with my Coach, and he always behav'd well.

Q. Which of them have you truſted?

Everit. *Thomas Smith*; he has drove my Coach. I am a Hackney-Coachman myſelf.

Q. How long have you employ'd *Smith?*

Everit. I don't employ a Man conſtantly; but when I want a Lad for a Day or two I have had him, and never heard any harm by him in my Life.

Q. (*to John Marſhall*) How long have you known the Priſoner at the Bar?

Marſhall. I have known him, *Thomas Barrow*, not quite a Year.

Q. How came you to know him?

Marſhall. He help'd in the Stables near where I live, he us'd to come to my Houſe.

Q. What Houſe do you keep?

Marſhall. A Chandler's Shop: Being a very honeſt Fellow, I us'd to have him in my Shop, and never found him otherwiſe in my Life.

Q. (*to Thomas Bedſworth*) Which of them do you know?

Bedſworth. I have known *Thomas Smith* two Years, and the other about a Quarter; *Thomas Smith*, I believe, was with me about ſix Weeks. I have ſent him often out of Days, and he always behav'd very well; and the laſt Time of my parting with him, was my taking a Kinſman of my own.

Q. How did *Barrow* behave?

Bedſworth. They were always both very honeſt: I never heard any thing againſt their Character.

William Sparrow. I only know *Thomas Smith*; I keep a Publick Houſe; I have known *Smith* ſeven or eight Years, and he was always a ſober honeſt Lad.

Q. (*to Jeffery Reynolds.*) Which do you know?

Reynolds. Barrow I have known for four Months; he ſerv'd me laſt; he is a very honeſt civil Fellow, as far as ever I heard.

Q. (*to Catherine Jones.*) Which do you know?

Jones. Thomas Barrow; I have known him for nine Months; he was my Servant between four and five Months; I have truſted him to pay Money, and buy Goods, &c. Both Acquitted.

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318. **Edward Lowry** was indicted for bringing into the Gaol of *Newgate* ſeveral Spring Saws, and other Things, to facilitate the Eſcape of ſeveral Priſoners under Conviction of Tranſportation.

At the Delivery of the Gaol of *Newgate*, on *Thurſday* the 15th of *May*, one *William Burn* was indicted for feloniouſly ſtealing one Piece of Cloth, &c. and the Indictment further ſets forth, at the ſame Seſſions, that one by the Name of *Catherine Lowry* was alſo indicted, try'd, and convicted, for ſtealing divers Parts of the Goods with the other Priſoner, *Burn*; ſhe having been ſo try'd and convicted, on the 10th Day of *Auguſt* laſt the Priſoner at the Bar did feloniouſly convey, or cauſe to be convey'd, into the ſaid Gaol of *Newgate*, four Spring Saws, a Spring Bow, and Files, to the ſaid *Catherine Lowry*, did deliver, with an Intent to aid and aſſiſt the ſaid *Catherine* to make her Eſcape.

Council. Pleaſe your Lordſhip, and Gentlemen of the Jury; the Effect of this Indictment you are to try againſt the Priſoner at the Bar: That one *Catherine Lowry* being convicted of Felony, and Priſoner in the Gaol of *Newgate*, on the 10th Day of *Auguſt* laſt the Priſoner at the Bar convey'd into the ſaid Gaol of *Newgate* four Spring Saws, a Spring Bow; theſe Saws and Files; proper Inſtruments to facilitate the Eſcape of the Priſoners of *Newgate*. The Indictment further relates, that he deliver'd them to a Priſoner in the Gaol, *Catherine Lowry*. As this is the Indictment, it will rely upon us to make out the Fact; if we do, you will find it by an Act of Parliament of the 16th of his preſent Majeſty made Felony: When we have made out this Fact in the Indictment, conſequently by this Act of Parliament the Priſoner is guilty of Felony. We ſhall produce, in the firſt Place, the Conviction of *Catherine Lowry*, Priſoner, to whom he deliver'd the Things; then ſhew you, in Purſuance of that Conviction, that ſhe was remaining in *Newgate* the 10th Day of *Auguſt*, and upon that 10th of *Auguſt* did *Edward Lowry* convey theſe Saws, Files, &c. into the Gaol of *Newgate*, to facilitate the Eſcape of the Priſoners.

Q. (*to Richard Akerman.*) What is your Office?

Akerman. The Keeper of *Newgate*.

Q. Do you know any thing of one *Catherine Lowry* in your Cuſtody?

Akerman. She was tranſported laſt *Saturday*; ſhe was detain'd as an Acceſſory to a Felony.

Q. Was ſhe detain'd the 10th of *Auguſt*.

Akerman. Yes.

Q. Did you ſee any Thing of Files and Saws, &c.

Akerman. I threaten'd them when I heard of Attempts to break the Gaol open, upon which *Catherine Lowry* produced them to me herſelf; this is one of the Spring Saws.

[Four Spring Saws, three Files, with a Spring Bow, were produced in Court.]

Q. When did ſhe deliver them to you?

Akerman. About the 5th or 6th of *Auguſt*.

Q. Do you know how ſhe came by theſe Things? I ſuppoſe you did not give any Conſent that ſhe ſhould have them.

Akerman. I knew nothing of them, my Lord?

Q. (*to Mr. Akerman.*) Are not theſe proper Inſtruments to facilitate Priſoners Eſcape?

Akerman. They cut in five or ſix Places the Bars of a Window quite through?

Q. (*to Mary Dobbins.*) Did you know at any Time *Catherine Lowry?*

Dobbins. Yes, ſhe was a Tranſport Priſoner.

Q. Do you know of any Thing being deliver'd to her?

Dobbins. Yes, my Lord; I receiv'd four of them Saws from the Priſoner myſelf: I know he, *Edward Lowry*, got 5 s. for buying them; he gave 4 s. 6 d. for the Saws and Bow, and I ſaw him deliver theſe Inſtruments to *Catherine Lowry*.

Q. Do you remember the Time when Mr. *Akerman* took them from her?

Dobbins.

Dobbins. Yes, I was in Bed at the ſame Place; but before ſhe deliver'd them, ſhe cut eight Iron Bars, and broke eight Saws in all.

Q. Did the Priſoner at the Bar uſe them at all?

Dobbins. Yes, he aſk'd Leave of the Swabber to lie with his Wife; he lay along with her 'till Twelve o'Clock, while the Gaol was at reſt, then he went to work; he work'd at the Iron Bars, and I held the Candle; he cut two of the Bars.

Priſoner. Pleaſe to aſk her if ſomebody don't give her ſomething for ſwearing.

Dobbins. Nobody does give me any thing for it. This *Catherine Lowry* was a deſperate Woman; ſhe call'd me up, and if I did not aſſiſt her, threaten'd what ſhe would do; I was in Danger of my Life; there were twelve Tranſports to be gone; there was but one Bar of eight to be cut, and they were to be all out the next Night, and he, *Edward Lowry*, was to be at the Gate with that Rope to ſwing the Priſoners down.

Q. (*to John Cocket.*) What is your Office?

Cocket. I am Under-Keeper.

Q. Do you know of any Conſent given to *Catherine Lowry* to have Files, Saws, *&c.* or Privity for *Edward Lowry* to bring theſe Saws in.

Cocket. No certainly.

Q. (*to the Priſoner.*) Will you aſk any Queſtion? What have you to ſay to this Charge ſworn againſt you by ſeveral Witneſſes?

Priſoner. Pleaſe to look to that Woman's Character; ſhe was try'd laſt Seſſions, and is to be try'd this. Guilty, Tranſportation.

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319. **Samuel Mecum** was indicted, for that he, together with *Richard Swift*, *Samuel Smith*, and *James Stamford*, not yet taken, did ſteal one Pack of Yarn, the Property of *William Hayles*, from the *Roſe and Crown* Yard, *Holbourn-Bridge*, the 12th Day of *February*.

Q. (*to Robert Gricewood.*) What have you to charge the Priſoner with?

Gricewood. Theſe Goods were loſt out of my Cuſtody; the Sack containing a hundred Weight of Linnen Yarn.

Q. Who did this Yarn belong to?

Gricewood. To *William Hayles* of ——— in *Wiltſhire*. We were going to load it in a Waggon; whilſt we were buſy about the Waggon, theſe Goods were taken away out of the Yard.

Priſoner. My Lord, aſk him if he ever ſaw me in his Yard, or about it.

Gricewood. No, my Lord, I did not.

Q. Were theſe Goods ever found again?

Gricewood. No, my Lord.

Q. (*to William Archer.*) What have you to ſay?

Archer. Laſt *Aſh-Wedneſday* there was I, *Samuel Mecum*, *Richard Swift*, and *James Stamford*; *Richard Swift* gives *Mecum* a Hand up with this Yarn, in order to carry it home to *Mecum*'s Houſe.

Q. What did you do the mean time?

Archer. *Stamford* and I ſtood to look if any body ſaw us. After we had brought the Yarn pretty near to his Houſe, he run to get his Houſe open, which he did: We Went into the Entry, and threw it down the Cellar. As ſoon as he carried it as far as he had a Mind, Mr. *Swift* carried it; then *James Stamford*; when he was tired, I carried it upon my Shoulder: *Mecum* carried it as far as *Goſwell-Street*, then he ran home to get his Door open to put it down his Cellar.

Q. What became of it?

Archer. It was ſold to *Gordon* for 20 s. but I never had but 3 s. and Mr. *Smith* owes me now 18 d. of the Money.

Q. (*to the Priſoner.*) Now what have you to ſay in your Defence?

Priſoner. Pleaſe you, my Lord, I was at Mr. *Lane*'s, an Alehouſe, where we had ſomething for Supper, and there *Archer* and I had a Quarrel, and he does this out of Revenge, *&c.* This Witneſs was took up for murdering his own Father: I never was in no Gaol 'till they brought me to it.

Q. (*to Hugh Pinchin*) What Buſineſs are you?

Pinchin Sir, I am an Officer belonging to the *Marſhalſea Court.*

Q. What ſort of an Officer? what is your Office to arreſt Men?

Pinchin. Yes, when I have Buſineſs to do.

Q. Do you know any Thing particularly of this Yarn?

Pinchin. No otherwiſe, my Lord, than I happen'd to go and ſee this *Archer* in *Bridewell*, and I aſk'd him how he came to do this Thing to theſe Men; I ſaid I know you to be a Reprobate Fellow, but I never knew you to be a Thief; ſo he d——d me, and ſaid will you give me a Quartern of Gin, which I did; ſaid he I was perſuaded to do it, and I have done it once, and I muſt do it again.

Q. (*to Richard Worral.*) Do you know any Thing of this Affair about the Yarn?

Worral. I know ſo far, pleaſe you my Lord, that I give 900 l. Security for my Place; the Priſoner has gone along with me ſometimes; the Priſoner and *Archer* happen'd to be at one Mr. *Lane*'s, ſo there happen'd to be a Quarrel.

Q. When

Q. When was it? I ſay, when was it? Was it a Month ago, or two Months, or is it three Months ago?

Worral. 'Tis eight or nine Months ago, I believe; it was juſt when *Archer*'s Father ſent him to *Bridewell*. I did not keep an Almanack in my Head.

Court. You ſay that *Archer* and *Mecum* were at *Lane*'s nine Months ago; what was then done, and ſaid?

Worral. We had ſome Steakes, and I eat a Bit with them; there was Sop, and *Archer* throws it into the Priſoner's Face, ſo *Mecum* hit him with the Candleſtick, and *Archer* d——d him, he would hang him right or wrong.

Anne Mitcham. I went along with that Gentleman; he deſired me to go with him to ſee Mr. *Archer* in *Bridewell*.

Q. What Gentleman?

Mitcham. Mr. *Pinchin*; when we went into the Place, *Archer* fell a Swearing, and ſaid won't you give me a Dram of Gin; ſays Mr. *Pinchin* I don't care if I do; he ſaid, how came you to ſpeak againſt theſe Men, I never knew you was a Thief before; with that they had a Quartern of Gin; he d—d it, and ſaid they perſuaded me to ſwear it, and as I ſwore it, I'll ſtand to my Word, right or wrong.

Q. Where do you live?

Mitcham. In *Spittlefields Market*.

Q. Is the Priſoner at the Bar any Relation of yours?

Mitcham. No, Sir.

John Gardner. I went into Mr. *Lane*'s Houſe to get a Pint of Beer one Night.

Q. When was that?

Gardner. Some Time ago; I cannot tell the Time.

Q. Was it Half a Year ago, or a Quarter of a Year?

Gardner. I believe it was about three Months ago; and I heard *Archer* ſay he would take *Mecum*'s Life away, right or wrong.

Q. How came he to ſay this?

Gardner. He ſaid it of his own Accord, without any Body ſaying any Thing to him.

Q. What Buſineſs are you?

Gardner. I am a Butcher, and I live in *Whitecroſs-Street*.

Q. How long have you know *Mecum*? What Buſineſs is he?

Gardner. He is a Hatband-maker, and makes Loops for Hats; he ſerv'd his Time to it.

Q. *(to James Smith)* What have you to ſay?

Smith. I have no otherwiſe to ſay but I have ſeen this *Mecum* paſs and repaſs by my Maſter's Door, and I never ſaw any Miſbehaviour of the Man.

Court. Then you don't know any Thing particular of this Fact?

Smith. No.

Q. *(to Elizabeth Wooley)* What have you to ſay?

Wooley. This Man came to and fro to my Stall; I never knew any Harm by him.

Q. What Buſineſs is the Man?

Wooler. He has follow'd theſe Bailiffs and Officers; I have ſeen him with them to and fro, and a great many Times, and I never heard any Harm of him. Guilty.

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320. **Samuel Mecum** and **Eleanor Mecum** were indicted for ſtealing out of the Dwelling-Houſe of *John Kent*, two Silk Handkerchiefs, three Dozen of Worſted Stockings, four Pair of Thread, and four Pair of Cotton, one Pair of Sky-blue, ſix Pewter Plates, a large Pewter Diſh, &c. the Goods of the ſaid *John Kent*, the 20th of *April*.

Q. *(to John Kent)* Where do you live?

Kent. In *Shoreditch*. I am a Stocking-frame Knitter.

Q. Do you know either of the Priſoners at the Bar?

Kent. I did not know them, Sir, 'till after I was robb'd; there is one *Nathaniel Harris* a particular Evidence, and he is a Debtor here in *Newgate*.

Q. Was your Houſe at any Time robbed?

Kent. The 20th of *April* I got up and found my Houſe robbed.

Q. Did you leave all your Doors faſt?

Kent. The laſt Thing I did I went and bolted the Window and Doors, and every Thing myſelf: I thought I heard ſomething in the Night, but I thought it was one of my Children.

Q. What Time did you get up in the Morning?

Kent. Between Five and Six o'Clock my Wife and I got up; my Wife came down firſt, and as ſhe was coming down, ſays ſhe our Windows are open; I ſaid it might be my Boy that is gone to School, but ſays ſhe here is your Cheſt gone; then I ſaid I am ruin'd for ever, for there were 29 Pair of Hoſe, that were none of my own.

Q. Did you miſs any other Things?

Kent.

Kent. Yes, ſix Pewter Plates, a large Pewter Diſh: There were in the Cheſt two Silk Handkerchiefs; there was my Pocket Book, but it was not put into the Indictment, nor a Quarter of the Things; there were three Dozen of Worſted Stockings, four Pair of Cotton, and four Pair of Thread, all theſe were in the Cheſt locked up; there was a five Pint Copper Sauce-Pan, and a very particular Pair of Hoſe, Sky-colour'd blue.

Q. Where did you find your Houſe broke open?

Kent. In the Window; there was a Plate of Iron nailed with ſeven Nails. This Plate of Iron was wrenched off; they endeavoured to take down the whole Frame of the Window; the next Day after I adverti ſed, I found one of the particular Sky-coloured Stockings that were in my Cheſt.

Q. What Clocks had they?

Kent. Gold-coloured Silk Clocks.

Court. You ſay you met with one Stocking again.

Q. What do you know of the Priſoner at the Bar?

Kent. Mr. *Archer Petcht* and Mr. *Body* went to ſearch *Mecum*'s Houſe, and there they found this Stocking; Mr. *Body* has this Stocking.

Court. Then you know nothing more than what they told you?

Kent. Pleaſe you, my Lord, I had a Jealouſy of this Man by the Intelligence that was given me of his being in Diſguiſe Dreſſes, and carrying Goods by my Houſe, *&c.* by Reaſon of which I had a Warrant. My Lord, I have liv'd 26 Years in the Pariſh, and ſerved an Apprenticeſhip in the Pariſh.

Court. You appear to be a very honeſt Man, and need mention nothing of this to ſupport it.

Q. (*to William Thomſon*) What are you?

Thomſon. A Frame-work Knitter.

Q. What do you know of the Priſoner at the Bar?

Thomſon. I am a Servant to Mr. *Kent*; that particular Pair of Sky-blue I made for Mr. *Kent* about laſt *March*; they were to be embroider'd with Gold Clocks afterwards.

Q. Did you ſee them after the Gold Clocks were put in?

Thomſon. Yes, I am ſure 'tis the ſame, Mr. *Body* has it?

Q. (*to William Body*) What have you to ſay againſt the Priſoner with Reſpect to this particular Fact?

Body. My Lord, I have nothing to ſay any more but this, that this *John Kent* came to Juſtice *Holt* for a Search Warrant, upon which I got two or three Friends with me, and beſet the Houſe of the Priſoner at the Bar; it was between Eight and Nine o'Clock on *Sunday* Morning: When we had beſet the Houſe, one *Harris*, a Priſoner now for Debt in *Newgate*, got over the Wall, and collar'd the Priſoner; we were forced to break the Windows and Shutters to come to his Aſſiſtance, for the Man and Woman were both upon him. When we got in I told them we had a Search Warrant. *Harris* got this Stocking, which he deliver'd to me, and he believed the Woman put the Fellow to it down the Vault; this one Stocking he found in the one Pair of Stairs Room.

Q. Had you any Thing more?

Body. We took a great many more Things, which by the Juſtice's Order are ſecur'd in a Trunk at *Bridewell*, but none of the Things are yet own'd, except this particular Stocking.

Q. (*to John Kent.*) Is this one of your Stockings?

Kent. My Lord it is; I was to have had 6 s. for the Stockings; but the Gentlewoman complain'd they were too big for her.

Q. (*to Eleanor Mecum the Priſoner.*) What have you to ſay in your Defence?

Mecum. Pleaſe you, my Lord, my Huſband knows nothing of it; if this Stocking is the ſame, it is what I had with ſome old Cloaths; I buy and ſell Things in *Rag-Fair.*

Q. (*to Suſannah Pool.*) What have you to ſay?

Pool. My Lord, ſhe is a Partner of mine in buying and ſelling old Cloaths. She had this Stocking of a common Dealer that had bought three Childrens Frocks, a Pound and half of Linnen Rags, and three or four odd Stockings.

Samuel Mecum was caſt for Tranſportation, and *Eleanor Mecum* acquitted.

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321. **John Brown** was indicted for aſſaulting *Mordecai Levy*, and *Mordecai Abraham*, *Jews*, and taking from one a Knife, and the other Sixpence, on the King's Highway, near *Brentford*, on the 5th of *Auguſt.*

Q. (*to Abraham*) What have you to ſay againſt the Priſoner at the Bar?

Abraham. I was going from *London* to *Brentford* on the 5th of *Auguſt*; I met the Priſoner about a Quarter of a Mile from *Brentford*; he had two more in Company with him.

Q. Did any Body ſtop you?

Abraham. The Priſoner begins with me, what have you got there? I told him nothing.

Court. You ſay you had got nothing, and you had the Box under your Arm.

Abraham. I keep my Box faſt, he ſtrived to get my Box from me and he did break open the Cover under my Arm.

Q. What did he take out?

Abraham. A Cluſp Knife.

Q. Of what Value?

Abraham. About 6 d. or 7 d. after this he began to ſtrike me, he pull'd me down to the Ground; my Partner bid me run to the Publick-Houſe, which is the *Green-Dragon.*

Q. Was you ſo near to him that you could hear him tell you to go into the Publick-Houſe?

Abraham. Yes.

Court. Then the three Men did not meddle with him.

Abraham. No. So we got away from all the three Men and they follow'd us into the *Green-Dragon*, and began to ſtrike me again, and quarrel'd alſo with the Perſon of the Houſe; When the Landlady ſaid ſhe would not draw them any Beer, they ſaid they would kill her and break all the Things to Pieces.

Q. Did you ſend for the Conſtable.

Abraham. No; you ſhall hear the Story out.

Court. We have heard it from you; and the ſtrangeſt Story that ever was heard.

Abraham. So after this he ſays to me, let me have your Box; in the Houſe he bid me give him what I had about me.

Q. And did you give it to him?

Abraham. I ſaid I had none.

Court. This is a Robbery in the Houſe; not upon the Highway.

Abraham. My Lord, on the Highway he robb'd me of a Knife, and in the Houſe he wanted my whole Box.

Q. (*to Mordecai Levy.*) What Relation are you to the laſt Perſon?

Levy. I was going to *Brentford* with him on *Tueſday* the 5th; I went with him becauſe he could not ſpeak *Engliſh:* A Quarter of a Mile from *Brentford* three Fellows took hold of him, and aſk'd what he had got there; he ſaid nothing; you lye, you Son of a B——h, ſays one of them; then they knock'd him down, broke the Cover of his Box, and took out a Knife.

Q. Did they all three aſſiſt?

Levy. They knock'd him down.

Q. What did they knock him down with?

Levy. With their Hands.

Q. What did you do all that Time?

Levy. I was at a Diſtance; and I ſpoke in our Language to get to the Houſe.

Q. Did the Perſon that robb'd you follow you to the Houſe?

Levy. Yes; the Landlady aſk'd what they wanted, and they bid her draw them ſome Beer; but ſhe ſaid ſhe would not; then they gave him one Knock here and another there: They took Six-pence from me, and aſk'd me if I had any more.

Q. (*to James Grimſon.*) What do you know of this Affair?

Grimſon. I am one of the Conſtables of *Brentford*; when I was inform'd of this Matter I went to the Houſe, and ſaid to theſe Jews, Pray which is the Man that robb'd you, not conſidering that they were all in Conjunction? and he ſhew'd me that the Priſoner was the Man.

Q. What did they pretend they were robb'd of?

Grimſon. One of them was robb'd of a Knife and the other of Six-pence. I went up to the Man and collar'd him; and ſaid, Friend, I am Conſtable and you are my Priſoner: He made ſome Reſiſtance, and there was a good deal of Fighting and Quarrelling. The Priſoner acknowledg'd that he took the Knife and Six-pence; then we went to two or three Juſtices, but found none of them at home. The next Morning we brought him before Juſtice *De Veil.* We could not take the other two as we were not provided.

Q. (*to John Harvey.*) Have you any thing to ſay about this Affair?

Harvey. I ſaw theſe Jews crying about the Streets, they were enquiring for the Conſtable, and the People ſending them about from one Place to another. They ſaid they had been robb'd by three Men near the *Green Dragon*, one of a Knife and the other of Six-pence; I ſaid, if you go to ſuch a Place you will find the Conſtable making himſelf merry among ſome of his Friends: However I follow'd them to the Conſtable, who did not care for going; but I inſiſted upon it, and told him I would go with him; then he ſaid he would go. We went down to the *Red Lion*, and ſays the young Jew, this is the Man; with that we ſeiz'd him. Then the other Fellows ſaid, d——n you he ſhall not go with you; with that one of them knock'd *Grimſon* down, and had like to have ſerv'd me in the ſame Manner; but by the Aſſiſtance of a third Perſon we did make ſhift to ſecure this Gentleman at the Bar.

Q. (*to Abigail Partridge.*) What Houſe do you keep?

Partridge. The *Green Dragon*, where the two Jews came and the Priſoner at the Bar follow'd them, and ſwore here they be, I will lick them. They came in a riotous Manner and call'd for a Pot of Beer; I ſaid I would not draw them any. They continued walking without Doors abuſing theſe two Men.

Q. Do

Q. Do you know the Prisoner at the Bar?

Partridge. I live at *Brentford* and he lives at *Hammersmith*; he is a Brickmaker. I believe he was not a Highwayman. Acquitted.

322, 323. **Cuthbert Bell** and **Sarah Bedford** were indicted, the first for stealing two Breadths of Damask and a Piece of Chints, the Goods of *Hannah Youthouse*, and the other for receiving the same, knowing them to be stolen.

Q. (*to Hannah Youthouse.*) What have you to say against the Prisoners at the Bar?

Youthouse. I keep a House at *Whitehall*, which was broke open and several Things stole. I put out a Reward of five Guineas, and thereupon was sent for on *Friday* before Sir *Thomas De Veil*; there I saw the Prisoner, and he said he bought these Things of a Person that ow'd him 25 s. the green Damask Silk and Counterpane.

Q. When did you lose these Things?

Youthouse. About the 1st of *June*.

Q. When was you before Sir *Thomas?*

Youthouse. I believe in *July* three Times. I saw the Prisoner brought up; he said he gave them to the Woman to pawn; I beg Pardon, he gave the Woman the Chints to mend, she was his Laundress, or something; but Sir *Thomas* said they liv'd together. She was to give him 40 s. for the Curtains to make her a Gown. Sir *Thomas* ask'd him how he came by them; he said he was at *Pepper-Alley* Stairs, and there met with a Woman that ow'd him 25 s. who gave him the Goods abovemention'd.

Q. (*to George Brown*, Pawnbroker) What do you know about these Goods?

Brown. The Chints Bed was brought by *Sarah Bedford* the 20th of *June*.

Q. What was it pawn'd for?

Bedford. For 5 s. 6 d. The 5th Day of *July* the same Person brought two Breadths of Silk Damask, I suspected they were stole, and lent no Money upon them as she could not give me an Account how she came by them; I took her before Sir *Thomas De Veil*, and she then inform'd against the Prisoner, and he was taken up upon that.

Q. When *Bell* came what did he say to that?

Brown. He own'd that he had given these Things to *Bedford* to pawn, the Silk to make a Gown of, and the other to pawn; he said he had them of one *Elizabeth Robinson*, for a Debt.

Q. (*to the Prisoner Bedford*) What have you to say to what is sworn against you?

Bedford. I went to pawn the two Breadths to Mr. *Brown*; I had them of Mr. *Bell*; I wash'd for him, and knew him to be a very honest Man.

John Wood. I was along with *Bell* when he receiv'd these Goods from *Elizabeth Robinson*, for 25 s. at the *Crown* in *Tooley-Street*.

Q. (*to Mary Smith*) Where do you live?

Smith. In *Tooley-Street*, near the Church. I was drinking a Pint of Beer at the *Crown*, and heard Words about a Debt, and saw her shew him these Things.

Q. Do you know the Woman.

Smith. I know her by Sight; she us'd to deal in old Cloaths, and I saw her very often in *Rag-Fair*

Q. (*to the Prisoner.*) What is your Trade?

Prisoner. A Mason.

Thomas Richardson. I am a Carpenter in the *Broad-Way*, *Westminster*, where Mr. *Bell* did live, and I never heard but he was a very honest industrious Man.

Francis Miller. I live near the Prisoner, and I meet him as constantly going to his Work as I to mine.

John Walker. I am a Coachmaker, I liv'd near the Place where he lodg'd, in the *Broad-Way*, *Westminster*, and he has always had the Character of an industrious, hardworking Man. Both Acquitted.

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324. **John Kitchen** was indicted for stealing a Wooden Cask with seven Iron Hoops, the Property of *Thomas Cliffington*, the 21st of *July*.

Q. (*to Cliffington*) What have you to say against the Prisoner?

Cliffington. Between Twelve and one o'Clock I was call'd up by the Watchman, who told me I was robb'd; when I came out I found *John Williamson* with the Prisoner in his Custody.

Q. (*to Williamson*) What do you know of this Matter?

Williamson. I am a private Watchman for the Gentlemen: I went home with a Gentleman that was a little in Liquor; as I was going along, it was darkish, I saw two Men that went to run away.

Q. What had they in their Hands?

Williamson. The latter of the two had a long white Pole; I spoke to the Prisoner and said, Hoy, where had you this? Which was a Water Cask; he said at *Tower-Hill*; said I, why 'tis my Neighbour's Water-Tub; I laid my Hand upon his Collar and said I believ'd he had stole it; he said let me go, I'll run after them that are gone away, perhaps they may know something of it; I said, no I will hold you.

Prisoner.

Priſoner. I was going home from the Night-Cart, I never touch'd the Caſk. Guilty.

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325. **Thomas Huddle** was indicted for feloniouſly returning from Tranſportation.

[The Priſoner had two Witneſſes to prove that he was preſs'd in *Virginia*, and one of the Perſons took Oath that he was at the Preſſing of him there, and that he attempted to run away from their Ship: Upon which he was acquitted. The ſturdy Sailor, glad of another Booty, took him away again immediately on board his Ship.]

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326. **Margaret Lewis** was indicted for ſtealing a Petticoat, a Check'd Shirt, a White Apron and a White Dimity Blanket, the Goods of *Rebecca Robinſon*.

Q. (to Robinſon) What are you, a married Woman or a Widow?

Robinſon. A Widow. The Priſoner took a ready furniſh'd Room of mine at 18 d. a Week.

Q. When did ſhe leave it?

Robinſon. About the Middle of *July*.

Q. Did you loſe any Thing?

Robinſon. Yes, Sir, In the ſhort Time of her dwelling with me ſhe ſaid Money was ſhort, becauſe her Huſband was not in Buſineſs; there was a Guinea to pay, and ſhe deſir'd I would not be ſevere with her; I told her not to be uneaſy about it, and ſaid, in my Family there was always ſomething to do, and ſhe ſhould fare as I did; ſhe was handy with her Needle.

Q. What then?

Robinſon. She was doing as the Family requir'd; and out of my Kitchen and Chamber ſhe took theſe Things, a Stuff Quilted Petticoat, a Check'd Linnen Shirt, a white Callico Apron, a white Dimity Blanket, *&c.*

Q. Did you ever find theſe Things.

Robinſon. I went to the Priſoner's Huſband, he ſaid he had not ſeen her, but when he did he would let me know it; and her Huſband was the Occaſion of her being taken up.

Q. Did you aſk her where the Things were?

Robinſon. They were ſold to *Elizabeth Willaby*, in *King-Street, Spitalfields*.

Q. (to Elizabeth Willaby) What do you know of this Affair?

Willaby. She came to me, poor Creature, with a Child ſucking at her Breaſt; ſhe did it for a Bit of Bread; her Huſband did not give her a Farthing, he was never ſeen to help her in any Shape, the Rogue brought an Officer to the Punch-bowl in *Moorfields* to take her; he was order'd to take the Child and he dropp'd it that Night.

[In Conſideration of her great Neceſſity and ſuch a wicked Huſband, ſhe was Acquitted.]

327, 328. **Joſeph Beech** and **Elizabeth Harvey** were indicted, the former for ſtealing 6 lb. 12 oz. of Braſs, Value 4 s. the Property of *Elizabeth Chapman*, and the latter for buying the ſame, knowing it to be ſtolen. *Beech* was found guilty and *Harvey* acquitted.

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329. **Mary Davis** was indicted for ſtealing a Linnen Apron, and ſome other Things, the Property of *Jonathan Greenwood*; but he not appearing the Priſoner was acquitted.

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330. **Martin Stephens** was indicted for ſtealing 146 Yards of Lace, the Property of *William Kitchen*; but the Evidence not being ſufficient he was acquitted.

The Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of Death 4.

Berney Linſey	282	*Felix Matthews*	314
John Pidgeon	305	*Anthony Matthews*	315

Receiv'd Sentence of Tranſportation for 7 Years, 17.

John Wickham	283	*Mary Fountenow*	302
Philip Allen	283	*Anne Stracey*	306
Margaret Smith	286	*William Marler*	309
Anna Maria Leverſton	289	*Mary Jennings*	311
Original Marſh	290	*Edward Lowry*	318
Sarah Deacon	291	*Samuel Mecum*	319
Thomas Pennel	293	*John Kitchen*	324
Daniel Bodemeyer	300	*Joſeph Beech*	327
Mary Smith	301		

Burnt in the Hand 1.

Elizabeth Webſter —— 292

Next enſuing Seſſions to begin,

On *Monday, October* 13, at *Guildhall*.
On *Wedneſday, October* 15, at the *Old Baily*.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 15th, THURSDAY the 16th, and FRIDAY the 17th of [redacted] October,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Eighth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VIII.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

(Price Six-Pence)

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London*, &c.

BEFORE the Right Honourable Sir RICHARD HOARE, Knt. Lord Mayor of the City of *London*, the Right Hon. the Lord Chief Juſtice WILLES, the Hon. Mr. Juſtice FOSTER, the Hon. Mr. Baron REYNOLDS, and JOHN STRACEY, Eſq; Recorder, and others of His Majeſty's Juſtices of *Oyer* and *Terminer* for the City of *London*, and Juſtices of *Gaol-Delivery* of *Newgate*, holden for the ſaid City, and County of *Middleſex*.

London Jury.	Middleſex Jury.
Francis Harling,	*Richard Bullock*,
James White,	*John Hawker*,
John Child,	*Ed. Wright*,
William Grizel,	*John Simonds*,
John Sutton,	*William Jones*,
John Bates,	*James Durnos*,
Richard Woodyer,	*Henry Scott*,
William Lun,	*Ralph Prior*,
William Wetherby,	*Daniel Pope*,
John Hoddell,	*James Walſh*,
Goldſborough Froſt,	*John Cullis*,
William Thomlinſon,	*Henry Heaſman*,

331. **Samuel Mecum** was indicted, for that he, together with *Richard Clay* and *John Matthews*, about One o'Clock in the Night, into the Dwelling-Houſe of *John Hillier* of *Whitechapel*, did break and enter, and ſteal one Cotton Gown, two Linnen Shirts, two Women's Linnen Caps, one Pair of Worſtead Stockings, two Pewter Diſhes, ſix Pewter Plates, one Gun, &c. the Goods and Chattels of *John Hillier*; and a Long Lawn Apron, one Copper Pot, &c. of certain Perſons unknown.

Q. (to John Hillier) What have you to ſay againſt the Priſoner at the Bar?

Hillier. I never ſaw him in my Life before?

Q. Are you a Houſe-keeper?

Hillier. Yes, Sir, I live in *Whitechapel*; my Houſe was broke open the 7th of *July*.

Q. In what Manner was it broke open?

Hillier. By a Pin taken out of the Window, and a Pain of Glaſs was taken out; it was on the Ground-Floor.

Q. Was you up?

Hillier. The Watchman called me up at Two o'Clock.

Q. What Things did you loſe?

Hillier. I loſt ſeveral Things; in the firſt Place I loſt a Gun, two Pewter Diſhes, ſix Plates, one Shirt, &c.

Q. Have you any of thoſe Things again?

Hillier. Only the Gun, my Lord.

Q. Pray where were all theſe Things?

Hillier. In the Kitchen.

Q. Are you ſure the Shutter was faſtened at Night?

Hillier. Yes, I am poſitive of it; I ſaw it faſtened myſelf.

Q. How came you by your Gun again?

Hillier. A Neighbour of mine, whoſe Houſe was broke open about a Month after mine, was ſpeaking to me on *Saturday* Night, that there was a Perſon taken up, and in *New Priſon*, for a Robbery; I ſaid I would go with him the next Morning, to ſee if he would confeſs any Thing; ſo when we went there, there was one *Collet* that confeſſed, that the Gun was in *Chancery-Lane*.

Q. When was the Gun brought to you?

Hillier.

Hillier. I believe about the 14th of *September.*

[The Gun was produced in Court.]

Q. *(to Joſhua Collet)* Do you know the Priſoner at the Bar?

Collet. Yes, Sir.

Q. What have you to ſay againſt him with Reſpect to the Fact he ſtands charged with.

Collet. My Lord, he was concern'd with me in robbing Mr. *Hillier*'s Houſe.

Q. When was it that you robb'd Mr. *Hillier*'s Houſe?

Collet. The 6th of *June.*

Q. Where does Mr. *Hillier* live?

Collet. In *Whitechapel* Road, at the *Royal Oak.*

Q. What Time was it?

Collet. Between Twelve and Two in the Night.

Q. Was any body elſe concern'd with you in this Robbery?

Collet. Yes, *Richard Clay* and *John Matthews.*

Q. In what Manner was it that you got into the Houſe?

Collet. The Shutter was ſhut and key'd, and we turn'd the Pin round and the Key dropt out.

Q. What then?

Collet. Then the Lead Work of the Caſement was cut away, and the Glaſs took out, ſo we got in at the Window.

Q. When you got in, what did you do?

Collet. We took a Gun (a Fowling Piece) and the Braſs, and Pewter Plates and Diſhes, *&c.*

Q. What elſe did you do?

Collet. A pretty deal of Linnen, Shirts and Aprons. Theſe Things were ſold by *Matthews* at *Whitechapel*, all except the Gun, which *Mecum* and I diſputed who ſhould have it, ſo we huſtled in the Hat for it, and he won it.

Q. How came you and *Mecum* to toſs up for the Gun when *Matthews* and *Clay* were concern'd?

Collet. We allow'd them ſome Money.

Q. Who made the Diſcovery of this Robbery?

Collet. I made the Diſcovery the 17th of *September.*

Q. Did you at any Time ſee Mr. *Hillier?*

Collet. Yes, in *New Priſon.*

Q. How came he by the Gun again?

Collet. They went to *Mecum*'s Houſe, and ſearch'd and found it.

Q. *(to Body)* Have you any thing to ſay againſt the Priſoner at the Bar?

Body. I have nothing to ſay, but *Archer* made himſelf an Evidence; we ſearch'd *Mecum*'s Houſe, and he made a moſt deſperate Reſiſtance.

Q. Do you know of this Gun?

Body. Yes, this Gun was in his Houſe; it was cramm'd into the Vault; it dawb'd me as I carried it along. *Harris* and I found it.

Q. *(to the Priſoner.)* Would you ask him any Queſtion?

Priſoner. Pleaſe to ask him, my Lord, which of the Perſons I made Reſiſtance to; becauſe I know the Perſon that took the Gun went to knock me down.

Q. *(to the Priſoner.)* Now what is it that you have to ſay in your Defence?

Priſoner. I muſt lay myſelf at your Mercy: Mr. *Body* was Evidence againſt me laſt Seſſions. Guilty, **Death.**

This *Mecum* has been a very notorious Robber and Houſe-Breaker; he was found Guilty of two Indictments laſt Seſſions, and received Sentence for Tranſportation.

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332. **William Wallis** was indicted, for that he not having the Fear of God before his Eyes, and being moved by the Inſtigation of the Devil, by Force of Arms, in and upon *Samuel Sharp* feloniouſly and wilfully, with Malice afore-thought, with a Gun charged with Powder and ſhot, did ſhoot and wound the ſaid *Samuel Sharp* in his Left Breaſt, with a Wound two Inches deep, of which Wound the ſaid *Samuel Sharp* died.

Q. *(to John Hendley.)* What have you to alledge againſt the Priſoner at the Bar?

Hendley. On the 25th of *September*, about a Quarter paſt Seven in the Morning, I went into the Rope-Walk where we work, and I ſaw a Man bring a Gun to *William Wallis*, in the Rope-Walk near *Stepney:* The Deceaſed asked him to let him ſee it, but the Man refuſed.

Q. What then?

Hendley. I went up, Sir, into the Houſe to take my Hemp to put about me to work, and the ſaid *Samuel Sharp* came up to the upper End; I was in Company with the dead Perſon, and had three Quarts of Beer, and *Sharp* was drinking with me; he was one of the four that join'd for two Quarts of Beer; he (the Deceaſed) put the Hemp about him, and the Priſoner at the Bar fired at him; I was about two Yards Diſtance from him when he fell.

Q. What was the Conſequence of letting off the Gun?

Heddley. It was the Death of the Man; the Man dropt at his Feet.

Q. Did he die immediately?

Hendley. He never ſpoke any more.

Q. Had

Q. Had there been any Quarrel between the Priſoner and *Sharp*?

Hendley. None, as I know of.

Q. Do you know that he is a quarrelſome Man, or that he had any particular Ill-Will to the Perſon that is killed?

Hendley. Not as I know of.

Q. *(to Joſeph Baker.)* What have you to ſay againſt the Priſoner at the Bar with Reſpect to the Fact?

Baker. As I was going into the Rope-Walk, I ſaw a Stranger bring the Gun in; Mr. *Wallis* takes the Gun to look at it; it was a Gun that unſkrew'd. The Man pulled the Rammer out of his Pocket, for there was no Place in the Gun to put the Rammer in; ſo he folds it together again, and puts it into his Pocket. I watch'd it all the while, as he was turning of it about. The Man that owned the Gun ſtood with his Back to me.

Q. Was it levelled at any body?

Baker. I believe the Deceaſed had his Face near to it. The Priſoner is a Man that bears as good a Character as any Working-Man whatever.

Q. *(to the Priſoner.)* What have you to ſay in our Defence?

Priſoner. Pleaſe you, my Lord, this Man came into the Walk with a Gun, and I took her up to look at her, accidentally, not knowing ſhe was loaded. I don't know how ſhe came to go off, whether ſhe caught hold of my Buttons, or how it was, I cannot tell. Acquitted.

333, 334. **Thomas Bouſey** and **Philip Powel** were indicted for ſtealing one Ewe Sheep Value 14 s. the Property of *William Pope*, the 28th of *September*.

Q. *(to Pope)* Did you loſe any Sheep at any Time.

Howel. Hearing of a Sheep being found, I order'd my Shepherd to tell my Flock, which he did, and miſſed one.

Q. Did you find it?

Pope. No; but I found the Skin of a Sheep in a Pond near theſe People's Houſe, on *Uxbridge-Common*, and the Carcaſs was found in the Houſe of *Philip Powel*, and the Head and Part of the Pluck in his Pocket.

Q. Where was that Sheep miſſing from, was it from your Flock?

Pope. Yes, Sir.

Q. Is the Shepherd here?

Pope. Yes.

Q. *(to William Sugg)* Are you the Shepherd?

Sugg. Yes. There were in the Flock thirteen Score and four, and I told them again and there wanted one.

Q. Did you find that one Sheep miſſing?

Sugg. No, pleaſe you my Lord; here's the Skin, we found it, and can ſwear to it.

Q. Where did you find that Skin.

Sugg. I was not at home when it was found, here is the Man that found it.

[The Skin was produced in Court.]

Q. Can you tell the Skin of a Ewe.

Sugg. Yes, my Lord.

Q. How do you know that?

Sugg. My Lord we know it by the Head, a Butcher, or any Body, may tell that, my Lord.

Q. How long ago did you find it?

Sugg. My Lord I can't tell, I was not at home when it was found, I was gone eight Days out of Town; but I think the Skin was found the *Tueſday* after *Michaelmas*.

Q. *(to Mary Crouch)* Did you ever ſee that Skin before.

Crouch. I ſaw it in the Pond, my Lord.

Q. What Pond?

Crouch. In a Pond hard by *Powel*'s Houſe.

Q. Was it floating in the Pond?

Crouch. No, my Lord, there were Bricks upon it to ſink it.

Q. How came you to ſee it then.

Crouch. I did not ſee it firſt, but was told of it by ſome Children.

Q. How far was this Pond from *Powel*'s Houſe?

Crouch. About a couple of Stones throw.

Q. Is your Huſband, *John Crouch*, here?

Crouch. Yes, Sir.

Q. *(to John Crouch)* Do you know any Thing of that Skin?

Crouch. Yes, my Lord, I ſaw it in the Pond, and help'd to get it out.

Q. Is that the ſame Skin?

Crouch. Yes my Lord, 'tis the ſame Skin.

Q. Was there any Search made upon this at *Powel*'s Houſe?

Crouch. Yes, my Lord.

Q. *(to Samuel Lyn)* What do you know of this Affair?

Lyn. On *Sunday* before *Michaelmas*, *Mary Crouch* came down to my Houſe, and ſaid, now is the Time to find your Sheep-Stealers, ſhe thought it was mine; but mine were all Weathers: I goes directly

directly to the Conſtable, and charg'd him to go along with me: On *Sunday*, about Eleven or Twelve o'Clock, I goes to *Thomas Bouſey*'s Houſe, where they were taking up a Piece of Beef for Dinner; there I could find nothing; I goes from thence to *Powel*'s Houſe, and looks about, but being dark, I deſir'd a Candle; they ſaid they were ſorry I ſhould have an ill Opinion of them, I told them I could not but go to thoſe that had robb'd me before; I ſearch'd about for ſome Time; at laſt I ſaw a little Door, about a Foot over, a Sort of a Cupboard Door, low and very narrow; there was a Way up to the Roof of the Parlour; there a Sack appear'd, and a whole Carcaſs, not cut up, and I believe dreſſed that Morning; I ſaid *Philip*, I am ſorry you ſhould be ſuch a Fool, this is dreſſed by a better Hand than yourſelf: So I goes forthwith and takes up *Bouſey*; I ſaid, I will take up your Father-in-Law; I went to *Thomas Bouſey*'s, and he own'd he kill'd the Sheep, but was no otherwiſe concern'd about it, and ſaid, I will not go with you; but I took him away by the Conſtable. I found Part of the Sheep's Head and Pluck in *Philip Powel*'s Pocket.

Q. (*to the Priſoner.*) Your hear what is ſaid, that the Carcaſs was found in your Houſe, in a very unlikely Place, and that you had the Head and the reſt of the Pluck in your Pocket.

Priſoner. (*Powel*) Pleaſe you my Lord I was up in the Morning making ſome Skewers, there was a Drove of Sheep paſſed by, and ſeeing a Light at my Houſe, a Man deſir'd to know if I could dreſs this Sheep. I ſaid no, ſo he aſk'd If I could have it dreſſed, and deſir'd I would fetch the Butcher and dreſs it; and I got my Father-in-Law to dreſs it.

Q. Have you any Witneſs of this to call?

Priſoner. No my Lord. When my Father-in-Law came, I aſk'd him what it was worth, and he ſaid four or five Shillings; ſo I gave the Man four or five Shillings for it. Both Acquitted.

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335. **Katherine Dwyer** was indicted for ſtealing a Feather Bolſter Value 2 s. a Bed Curtain Value 1 s. *&c.* the Property of *William Clarke*, the 27th of *September*.

Q. (*to Clark*) Had you any Goods ſtolen from you?

Clark. Yes, a Feather Bolſter, a Bed Curtain and other Goods; but the Feather Bolſter and Bed Curtain only I found upon her.

Q. When was it that you loſt theſe Things?

Clark. The 27th of *September*, between Ten and Eleven o'Clock at Night.

Q. How came ſhe to have an Opportunity to take theſe Things?

Clark. She was acquainted with the Lodgers in my Houſe, and I ſuppoſe ſhe was hired by them to bring off the Goods.

Q. (*to the Priſoner*) Do you hear what Mr. *Clark* ſays?

[The Priſoner, in her Defence, declar'd, that ſhe was a hard working Woman, and that ſhe was ſent by the Lodgers that Evening for theſe Things.]

[Mr *Clark* depos'd, that he caught her at the Dooor with theſe Things in her Lap, that he thruſt her into the Room again; and that he ſent for the Conſtable and had her committed: He alſo ſaid he got a Padlock put to the Door a little before, to prevent his Lodgers from carrying off his Goods, but that was broken. Guilty.

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336. **John Web** was indicted for ſtealig 1 5 s. the Money of *Joſeph Gilpin*, the 18th of *Auguſt*.

Q. (*to Gilpin*) What have you to ſay againſt the Priſoner?

Gilpin. The Priſoner at the Bar was my Servant, in the Capacity of a Porter.

Q. When was it he liv'd with you?

Gilpin. 'Till the 18th of *Auguſt*.

Q. What is your Buſineſs?

Gilpin. A Grocer. I miſs'd Money out of my Till ſeveral Times; and one Week I put in every Night a Guinea in Silver before I went up Stairs; the firſt Night he took 3 s. 6 d. the next Night nothing, the Night after that 4 s. 6 d. I told one of my Journeymen that I had ſeveral Times miſs'd Money out of my Till, and that I would mark ſome of it; accordingly I mark'd Half a Crown and 13 Shillings and Six-pence, and bid my Man go into the Compting-Houſe to watch in the Dark, which he did: In about five Minutes Time he rung the Bell, and told me the Porter had taken 5 s. in Silver and 10 s. in Half-pence: The Porter was there and the Journeyman: I ſaid to him, *John*, what Money have you got in your Pocket? He ſaid he had none of mine. There were 5 s. in Silver and 10 s. in Half-pence. The next Day I had him before Sir *John Barnard*. I forgot to take the Half-pence from him; he ſaid, indeed, he did not take them from me; I think he had then ſix or ſeven Shillings worth about him. [The 5 s mark'd were produced in Court.]

Q. (*to —— Jones.*) What do you know of this Affair?

Jones. About the 18th of *Auguſt*, between Nine and Ten o'Clock in the Evening, I was in my Maſter's Compting-Houſe; the Priſoner was in the Cellar, from whence he came and went to the Compter, where he took out a little Drawer with ſome Silver in it. I was on the oppoſite Side; but did not come out preſently. I ſaw him take the Drawer and hold it up to the Candle.

Q. How could you ſee what he took out.

Jones. My Lord, I ſaw him take the Drawer and hold it up to the Candle, and after he had taken the Money out of the Till he ſet the Candle upon the Deſk, knelt down and took a Paper of Half-pence, which he held up to the Candle. We generally mark what we put in, ſometimes 5 s. worth and ſometimes 10 s.

Q. After you had ſeen this Fact what did you do?

Jones. He took the Candle, my Lord, and went down to the Cellar again; then I came out of the Compting-Houſe and rung the Bell for my Maſter, to let him know what had happen'd; then my Maſter came down and charg'd him with the Money.

Q. What did your Maſter ſay to him?

Jones. My Maſter told him he had miſs'd Money ſeveral Times, but now he had found him out. The Priſoner ſaid he had no Money but what was his own, and pull'd out the five Shillings that were produced in Court.

Q. (to Mr. Gilpin.) Was you before Sir *John Barnard.*

Gilpin. Yes, he was examin'd before Sir *John*, and two or three Hands-full of Half-pence were found about him.

Q. (to the Priſoner.) What have you to ſay for yourſelf?

Priſoner. I ſhall leave it to the Mercy of the Court, my Lord. Guilty Tranſportation.

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337. **Elizabeth Goodman** was indicted for ſtealing a Cloth Coat, value 20 s. a Silk Waiſtcoat, value 2 s. a Cloth Waiſtcoat, value 2 s. a Linnen Sheet value 2 s. a Table-Cloth, value 2 s. three Tea-Spoons, value 3 s. a Pair of Tongs, value 2 s. a Chocolate-Pot, value 1 s. a Saucepan, value 1 s. 12 ruffled Shirts 40 s. the Goods of *Joel Fremolt.*

Q. (to Joel Fremolt.) Where do you live?

Fremolt. In *Queen's-Court, Great Queen's-Street*, near *Lincoln's-Inn-Fields.*

Q. What is your Buſineſs?

Fremolt. An Attorney.

Q. Have you a Houſe there?

Fremolt. Yes, my Lord.

Q. Did you loſe any Thing out of your Houſe?

Fremolt. Yes, my Lord, all the Things mention'd in the Indictment; I loſt them from the 25th of *July* to the 5th of *October.*

Q. Where were theſe Things?

Fremolt. They were all lock'd up in my Chamber, except the Copper-Pot and the Saucepan, which were in the Kitchen.

Q. Who had the Key?

Fremolt. I lock'd the Corner Cupboard where ſhe lay, and had the Key in my Pocket.

Court. Then ſhe was employ'd to look after your Houſe?

Fremolt. Yes.

Q. Did ſhe lie in the Houſe by herſelf?

Fremolt. One Mr. *Palmer* lodg'd in the Houſe beſides?

Q. When did you come to Town.

Fremolt. The 24th of *September*,

Q. Did you come then to ſtay?

Fremolt. Yes.

Q. Did ſhe continue in the Houſe?

Fremolt. Yes, my Lord, all the Time.

Q. When did you miſs theſe Things?

Fremolt. Preſently after I came to Town.

Court. Becauſe you ſay you did not loſe ſome 'till the 5th of *October.* Did you then miſs your Key, or was it where you left it?

Fremolt. The Key was where I left it, and the Cupboard lock't.

Q. When did you find the Priſoner?

Fremolt. I let it reſt a little; I thought I ſhould find it out by that Means. I could not miſs any Thing below Stairs, nor any Thing where ſhe lay.

Q. Did you find theſe Things again?

Fremolt. Yes, my Lord, at ſeveral Pawnbrokers.

Q. Did you find every ſingle Thing?

Fremolt. Yes, every Thing. We took her before Sir *Thomas De Veil* and ſhe confeſs'd the taking them all.

Q. Where did ſhe ſay ſhe took them?

Fremolt. She took them out of my Bed-Chamber, except the Chocolate-Pot and Saucepan, thoſe ſhe took out of the Kitchen.

Court. She confeſs'd ſhe pawn'd them?

Fremolt. Yes. She confeſs'd that ſhe thought ſhe ſhould not be proſecuted, and upon that Perſuaſion ſhe confeſs'd it all.

Q. (to John Palmer.) What do you know of this Matter?

Palmer.

Palmer. I lodge in the ſame Houſe; I don't know any thing more than that ſhe own'd the taking the Things before ſhe was taken up.

Q. (*to Thomas Marſh.*) What is your Buſineſs?

Marſh. A Pawnbroker.

Q. Do you know any thing of theſe Things?

Marſh. Yes, my Lord, I have ſix Shirts, a Pair of Breeches, a Table-Cloth, a Saucepan, and a Chocolate-Pot; all theſe Things were brought by the Priſoner at ſeveral Times; ſhe had 31 s. for them all together: She came with the Proſecutor and aſk'd for every one of them as they lay. She has been known to deal at our Shop for ten Years paſt.

Q. (*to George French.*) What is your Buſineſs?

French. A Pawnbroker.

Q. What have you to produce?

French. Four Shirts.

Q. Any Thing elſe?

French. Nothing elſe. One Shirt I took of the Priſoner, one my Maſter took, and two we ſtopp'd.

Q. Do you know what ſhe borrow'd upon them?

French. I lent her 5 s. upon one and my Maſter 3 s. upon another.

Q. (*to William Lankey*, Pawnbroker.) What do you ſpeak to? What have you got there?

Lankey. I have got two Waiſtcoats, two Shirts, a Table-Cloth, three Silver Tea-Spoons, and a Pair of Silver Tea-Tongs.

Q. Who brought all theſe to you?

Lankey. The Priſoner at the Bar.

Q. What had ſhe upon them?

Lankey. Upon the Whole 16 s. 6 d.

Q. Pray did Mr. *Fremolt* come to claim them?

Lankey. Mr. *Fremolt* came and claim'd them all as his.

Q. (*to the Priſoner.*) Have you any thing to ſay for yourſelf?

Priſoner. The Gentleman is gone out of Town that I liv'd with; I liv'd with Mr. *Fremolt* eight Months and I never wrong'd him of a Pin.

Guilty 39 s.

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338. **Suſannah Maidland** was indicted for ſtealing three Pieces of Silver Coin, the Goods of *Hugh Phelps*, of *New Bond-Court*, in the Pariſh of St. *Martin's in the Fields*.

Q. (*to Hugh Phelps.*) Where do you live?

Phelps. In *New Bond-Court*.

Q. What did you loſe?

Phelps. I loſt three Pieces of Silver Coin out of my Breeches Fob, one was a Piece of Eight.

Q. What did that weigh?

Phelps. Three Shillings. Alſo a *Roman* Emperor's Shilling.

Q. What might that be worth?

Phelps. I believe 9 d. and a King *Charles* the Firſt's 6 d.

Q. What Time of the Night or the Day was this done?

Phelps. Sir, it was in the Morning. This Maid came to me the 14th of *Auguſt*, and on the 19th of that Month I miſs'd theſe Pieces. I left off my Breeches to have a Strap ſet on, and took the Money out of my Pockets, but forgot that in my Fob. I accus'd the Taylor with having the Money, and told him of it before ſome of my Cuſtomers; I ſaid, *George*, have you got thoſe Pieces or not; five Weeks afterwards I found all theſe Pieces in her Pocket.

Q. Did you ſearch her?

Phelps. My Wife will tell you.

Q. Did the Maid ſay how ſhe came by them? Let us ſee the Pieces.

Phelps. There is a Flaw upon King *Charles* the Firſt's Six-pence; the other Piece is dated the Year 15.

Q. What did ſhe ſay?

Phelps. She ſaid nothing: We found them the 2d of this Month.

Court. Then ſhe had free Acceſs to your Bed-Chamber?

Phelps. Yes, Sir.

Q. (*to Sarah Phelps*) Where were theſe Things found?

Phelps. In her Pocket, pleaſe you my Lord; I took the Pocket myſelf; ſhe was ſtruggling to get off, and ſtruggling, her Pocket came off; ſhe ſaid ſhe had them before ſhe came to us.

Q. (*to Woodbridge*) Was you by when theſe Things were taken?

Woodbridge. Yes I was, I am poſitive to them, I have ſeen them an Hundred Times.

Q. (*to Elizabeth Hill*) Was you by when theſe Pieces were taken out of her Pocket?

Hill. Yes my Lord, I ſaw them taken out of her Pocket. The firſt Things were theſe three Pieces; and I ſaid you vile Creature, have you got theſe Pieces the poor Man was charg'd with, and had lik'd to have been turn'd out of his Bread about.

Q. (*to Francis Evans*) How long have you known the Woman?

Evans.

Evans. Three Years. While ſhe liv'd with me ſhe bore a good Character, and behav'd very ſober and honeſt.

Q. (*to Mary Maidland*) How long have you known the Priſoner?

Maidland. I have known her theſe 20 Years, and never knew ſhe did any Thing amiſs in her Life.

Mary Wilſon. I have known her all her Life-time; her Father and Mother and I were all Neighbours; ſhe ſerv'd ſeven Years as an Apprentice and gave very good Content.

Hannah Brunt. I have known her two Years, Sir; I have left her in my Houſe at all Times and Seaſons, and ſhe never wrong'd me of any Thing, and I believe her to be a very honeſt Girl.

Q. You know nothing of this particular Fact?

Brunt. No Sir. But I have left her with my Family at all Times and Seaſons.

Mary Wingate. She has a very good Character. I have left her with my Family many Times, have entruſted her with many good Things, and never knew her to wrong me of any Thing.

Sarah Comfort. I have know her theſe two Years; ſhe has been many Times at my Houſe, I have entruſted her, and never loſt any Thing by her.

Mary Peareth. I have known the Priſoner for two or three Years, and ſhe bears a very good Character in our Neighbourhood. Guilty.

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339. **Robert Lake** was indicted, for that he, together with *Richard Clay*, about Twelve or One in the Night, on the 16th of *May*, did break and enter the Houſe of *Francis Milſon*, and did feloniouſly ſteal and carry away one Gun, Value 10 *s.* one Sword, Value 10 s. five Pewter Diſhes, Value 5 *s.* three Copper Sauce Pans, Value 8 *s.* one Tea-Kettle, Value 4 *s.* one Duffil Coat, Value 2 *s.* four Pair of Leather Shoes, Value 10 *s.* one Japan Looking-Glaſs, three Guns, Value 30 *s.* the Goods of *Francis Milſon*, *Sarah Ellis*, and *Loyd*.

Q. (*to Francis Milſon*) What do you know of the Priſoner?

Milſon. As to the Priſoner I don't know any Thing of him.

Q. When was your Houſe broke open?

Milſon. The 16th of *May*.

Q. How did you leave your Houſe at Night?

Milſon. All ſafe, my Lord; I bolted the Window myſelf with my own Hand.

Q. What Time did you riſe in the Morning?

Milſon. Pleaſe you, my Lord, it might be about Five o'Clock, or a little after.

Q. Who firſt ſaw the Window?

Milſon. My Wife.

Q. How ſoon did you ſee the Window?

Milſon. My Lord, as ſoon as my Wife came down, ſhe told me the Houſe was robb'd.

Q. How was the Window broke?

Milſon. One of the Bolts was wrenched almoſt off.

Q. What Goods did you loſe that Night?

Milſon. All that is mentioned in the Indictment.

Q. Did you loſe a Gun, a Sword, Bayonet, and five Pewter Diſhes?

Milſon. Yes, twelve Pewter Plates, three Copper Sauce-Pans, one Tea-Kettle, one Iron Box, one Duffil Coat, four Pair of Leather Shoes, two Horſe Whips, one Japan Cabinet, and a Looking Glaſs.

Q. Were theſe your Goods?

Milſon. Yes, my Lord.

[The Cabinet was produced in Court.]

Q. Was there any Goods taken beſides your own?

Milſon. There were three Guns, three Swords, and three Bayonets, belonging to Mr. *Cheſter*.

Q. Was there any Goods belonging to *Sarah Ellis?*

Milſon. A Box Iron; and a Great Coat and a Horſe Whip of Mr. *Loyd*'s.

Court. The Great Coat, and all theſe Things loſt, they were not all put into the Indictment.

Q. Did you find any of theſe Things again?

Milſrn. Only this trifling Thing the Cabinet. This was produced by Mr. *Collet*.

Q. Have you any Thing to charge the Priſoner of your own Knowledge?

Milſon. No, my Lord.

Q. (*to Joſhua Collet*) Give an Account of what you know of the Priſoner at the Bar.

Collet. *Lake* was along with me and *Clay*, at the breaking open of *Milſon*'s Houſe.

Q. What Day was it?

Collet. The 16th of *May*.

Q. Then you was an Accomplice?

Collet. Yes.

Court. Give an Account of the whole.

Collet. We broke the Shutter with a Chiſel, and we all went in and ſhut the Shutter. The Priſoner at the Bar was preſent, and helped to do it.

Q. What Goods did you take out of the Houſe?

Collet.

Collet. Four Guns, four Swords, &c. The Goods were ſold to one Mr. *Buckland*, at the *Riſing Sun* in *Long Lane*.

Q. Did you divide the Spoil between you?

Collet. Yes, we divided the Money amongſt us.

Q. What were they ſold for?

Collet. About ſix Guineas the whole.

Court. That is divided between yourſelf, the Priſoner, and *Clay?*

Collet. Yes.

Q. What have you further to ſay?

Collet. No more to ſay, my Lord.

Q. (to the Priſoner) You have heard what this Witneſs *Joſhua Collet* has ſaid; if you are willing to aſk him any Queſtions, you may croſs-examine him.

Priſoner. My Lord, enquire into the Witneſs's Character, he has been a Rogue ever ſince he was born.

Q. (to Collet) What Time was this Robbery committed?

Collet. Between Twelve and Two, near One o'Clock at Night.

Q. How long have you been acquainted with the Priſoner at the Bar?

Collet. Not above two Months; he has been out with me four or five Times.

Q. Was that Box taken out?

Collet. Yes, there was Spice in it; that Box I kept, and I delivered it to the Proſecutor.

Q. (to William ———, Conſtable) Give an Account touching this Charge againſt the Priſoner at the Bar.

Conſtable. On the 16th of *September* laſt the City Marſhal ſaid he had a Warrant to take up *Lake* the Priſoner, and aſk'd me if I would ſerve it; I aſked him where he (*Lake*) was; he ſaid in *Wood-Street Compter* for a Quarrel in *Bartholomew-Fair*; he ſaid he could not let him go, except the Lord Mayor would diſcharge him, and he did diſcharge him. When he was in the Coach, he reflected much upon *Collet*, and ſaid, Men are eaſily frightned; I would as ſoon be D——d as to do any ſuch Thing. The Priſoner ſaid, my Friends would have had me have done this ſix Weeks ago; I ſaid what; he ſaid, turn Evidence, but he would as ſoon be D——d as do any ſuch Thing, for Men are frightned, ſaid he, at their own Shadow.

Q. Did you obſerve that *Collet* and he were well acquainted?

Conſtable. Yes.

Q. Where was it they firſt met?

Conſtable. At Juſtice *Rickards's*. *Collet* ſpoke to *Lake*, and *Lake* to him again, and ſaid I was adviſ'd ten Weeks ago to do this. I ſaid do what? he ſaid turn Evidence.

Q. (to the Priſoner) Aſk this Witneſs what Queſtion you pleaſe.

Priſoner. Pleaſe you, my Lord. I believe he has been ſet on by theſe Thief-catchers. I don't know any Thing of them.

Q. (to Joſeph Lake) What Time did the Priſoner at the Bar come from Sea?

(By the Council for the Priſoner) What Condition was he in then?

Lake. He was ſick before the 22d of *May* laſt; I was his Bedfellow all the Time.

Q. What Diſorder had he upon him?

Lake. He had the Itch upon him; he was confined; he was not out; he kept his Chamber.

Q. Did he keep his Bed from the 8th of *May* to the 22d? Did he keep his Bed all the while?

Lake. He was about the Room.

Court. You ſay that you was his Bed-fellow; would you chuſe to be Bed-fellow to a Perſon that has the Itch?

Lake. Sir, I had it myſelf.

Court. You ſay he was never out of his Room; did you keep the Chamber with him?

Lake. I kept my Father's Door; I am ſenſible he was never out.

Q. Did your Brother lay out of Nights from the 8th of *May* to the 22d? Did he ever lay out of Nights at all?

Lake. No.

Q. (to Katherine Lake) What are you?

Lake. I am the unfortunate Mother of the Priſoner.

Court. Give an Account of what you know of your Son's coming home, and how long he kept the Houſe.

Lake. He came home the 8th of *May*; he was taken ill when he came home, and it prov'd to be the Itch; he did not go out from the 8th to the 22d, I won't ſay he kept one Room, becauſe he might go out of one into another.

Q. How came you to be ſo particular to the 22d of *May*.

Lake. I'll give you a very good Reaſon for it; for my Huſband and this Lad of mine was at *Maidſtone Fair* the 1ſt of *May*.

Court. Then he never lay out of Nights?

Lake. To the beſt of my Knowledge he never lay out, except it was when he was at a Fair.

George Shaw. I was at *Maidſtone Fair*, which was the 1ſt of *May*; then went to *Chatham*, that

holds three Days, and the fourth Day we came home.

Q. What is the Prisoner's general Character?

Shaw. A very good Character.

Elizabeth Shadpole. I have known the Prisoner for a great many Years, and he bears a good Character.

John Stockal. I have known him for four or five Years, and he bears a good Character.

William Maddocks. I have known the Prisoner eight or nine Years; he is of an undonbted Character.

Joseph Meldin. I have known him for eleven or twelve Years; I worked with his Father; I never heard any Ill of him; I have been with him in several Companies.

Thomas Kilpal. I have known him ever since he was fifteen Years of Age; he has a very good Character.

John Kilpack. I never saw any Ill of the young Man in my Life.

Henry Dibdale. He dwelt almost two Years in my House 'till his Wife died; then he went to his Father's. I never heard an ill Character of him in my Life. Acquitted.

340, 341, 342. **Fool Tooley**, **Bartholomew Quickley**, and **Mary**, the Wife of *John*, **Pigeon**, were indicted for stealing a Pair of Shoes, the 11th of *October*, the Goods of ——— *Corp*, at *Lincoln's-Inn* Wall.

Q. (to Richard Kitchen) Do you know all the Prisoners at the Bar, or any of them?

Kitchen. I know each of them.

Q. What have you to lay to all, or any of their Charge?

Kitchen. I am an Apprentice to Mr. *Harris*; *Bartholomew Quickley* and *Mary Pigeon* came into Mr. *Harris*'s Shop; they spoke about a Pair of Shoes, but soon turn'd out, and went to another. *Bartholomew Quickley* stole the Shoes out of Mr. *Corp*'s Shop, at the Bottom of the Wall. They went into two or three Shops, which increas'd my Suspicion.

Q. Did they both of them go into *Corp*'s Shop?

Kitchen. They were all three in the Shop, when I saw the smallest of them, *Bartholomew*, steal the Shoes.

Q. Where did he steal them from?

Kitchen. From the Cutting-Board.

Q. What Time of the Night or Day was this?

Kitchen. About Seven o'Clock at Night, my Lord.

Q. What did he do with them then?

Kitchen. He conceal'd them under his Coat.

Q. What Shoes were they?

Kitchen. A Pair of Mens Shoes. I immediately seiz'd him in the Shop, and he said he had bought them of the Gentleman of the Shop; in the mean time he made his Escape out of the Shop, and I follow'd him into *Lincolns-Inn-Fields*. They were all three in the Shop together.

Bartholomew Quickley, the Prisoner. I did not make my Escape, my Lord; I thought a Press-Gang was come.

Kitchen. He us'd a great Oath, G—— d——— your Soul, I bought them of the Gentleman of the Shop. I apprehend they are Confederates by speaking in our Shop in such a familiar Stile.

Q. (to Benjamin Reynolds) What have you to say against any of the three Prisoners at the Bar? Where do you live?

Reynolds. In *Turnstile*, my Lord; I am a House-keeper. My Lord, the tall Man came into my Shop for a Pair of Shoes; my Servant had shewn two Pair, and while he was looking on the third Pair, the little Fellow, the Prisoner, call'd him out, and they both went off together.

Q. (to Catherine Corp) Have you any thing to say against the Prisoners at the Bar?

Corp. I have this to say, that *Mary Pigeon*, one of the Prisoners, came into my House last *Saturday* Night; she pretended she wanted a Pair of Stuff Shoes; I thought she wanted to steal a Pair; and two Men came presently after she had had one Pair of Shoes try'd.

Q. Did either of the Men come in to ask for Shoes?

Corp. One of the Men ask'd for a Pair of Shoes; I told our Man to fit the Gentleman, and I would endeavour to please the Gentlewoman; upon which the young Man, Mr. *Kitchen*, took the Shoes from under *Bartholomew Quickley*'s Coat; the Prisoner told him that he had bought them, and turn'd about and run away, and the young Man follow'd him; the tall Man, the Prisoner, said, What is the Matter? my Man said, Your Friend has stole a Pair of Shoes; he reply'd, he had no-body with him but his Wife, which was *Mary Pigeon*.

Mary Pigeon. Ask her whether she saw me attempt to steal the Shoes.

Court. She has sworn she suspected you.

Pigeon. For what Reason did you suspect me?

Corp. Because no-body had any Business to go in that Corner to crowd me up, *&c.*

Q. (to William Halsey) Where do you live?

Halsey.

Halſey. With Mr. *Corp.*

Q. What have you to ſay againſt the Priſoner, the Woman at the Bar?

Halſey. She came in and aſk'd for a Pair of Shoes; I try'd a Pair on, which did not fit her; this was on *Saturday* Night laſt.

Q. Did any body come in with her?

Halſey. No, my Lord; but as ſoon as I went to try another Pair, the tall Man and the other Priſoner came in; and *Tooley* aſk'd me if we had a Pair of Shoes that would fit him; I ſhew'd him a Pair, and he look'd at them at the Candle; he ſaid he was a Piece of that Craft himſelf, and knew what Shoes were; ſays he, I am juſt come from Sea, and ſhall want half a Dozen Pair, if you uſe me well. While I was trying the Shoes, in comes Mr. *Kitchen*, and took a Pair of Shoes from the ſhort Man, the Priſoner: As ſoon as Mr. *Kitchen* had taken the Shoes, the Priſoner ran away out of the Shop, and Mr. *Kitchen* run after him; the tall Man ſaid, What is the Matter? I ſaid, the Man that you brought into the Shop with you, has ſtole a Pair of Shoes; ſaid he, I don't know any body but my Wife; ſaid the Woman, The Man is not my Huſband, I know nothing of the Man. The tall Man ſaid we ſhould not detain his Wife over and over, and aſk'd if they had ſtole any thing; I ſaid, No, you have not, but I won't let you go 'till my Maſter comes. She declar'd afterwards, that ſhe was not his Wife.

Q. (to the Priſoner, Bartholomew Quickley) What have you to ſay in your Defence?

Priſoner. I never ſaw theſe People before I ſaw them that Night I had the Shoes in my Hand. I aſk'd him over and over, What is the Price of the Shoes?

Q. (to Fool Tooley) What have you to ſay?

Tooley. My Lord, if I had had a Mind to run away, and had a Notion of being concern'd, I could have made my Eſcape as well as the other; as there was no-body in the Shop but he and the Gentlewoman.

Q. (to Mary Pigeon) What have you to ſay?

Pigeon. I went to buy a Pair of Shoes; I never ſet Eyes on them before.

Halſey. My Lord, ſhe offer'd to ſwear on *Sunday*; and wiſh'd ſhe might be deliver'd of a Wolf if ever ſhe ſaw them. All Guilty.

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343. **Suſannah Jones** was indicted for ſtealing two Pieces of flower'd Silk, containing one Yard and a Quarter, the Goods and Chattels of *James Bradſhaw*.

Q. (to James Bradſhaw) Had you any Goods ſtole from you?

Bradſhaw. Yes, Sir, the Priſoner, *Suſannah Jones*, liv'd with me as a Servant about twelve Months: After ſhe left my Service ſhe went, as I was inform'd, to live with Mr. *Godwin*, who ſuſpecting that ſhe had robb'd him of a great many Goods, of a conſiderable Value, he got a Search-Warrant, and found her Place of Rendezvouz, in which Place were ſeveral Goods that belong'd to him; upon which he came to me, and aſk'd me if I had loſt ſuch Goods at the Time that ſhe liv'd with me?

Q. How long was it after ſhe left your Service that Mr. *Goodwin* told you that ſhe had ſtole any thing from him?

Bradſhaw. I believe it was two Years afterwards. When Mr. *Godwin* came to me, I told him I had loſt ſome remarkable Silk, which my Wife had in her Gown. Mr. *Godwin* told me, upon ſearching at *Chelſea*, where ſhe had a Baſtard Child at Nurſe, that her Child had the Skirt of a Coat of a remarkable fine Silk; upon which I deſir'd him to bring it to my Houſe at *London*; by comparing it, we found it to be the very ſame Silk which had lain by as uſeleſs, 'till we ſhould make it up for a Child of our own.

Q. (to Judith Simſon) What have you got there?

Simſon. The Skirt, my Lord, of a Child's Coat that Mrs. *Jones* brought to my Houſe at *Chelſea*: Mr. *Godwin*'s Man found it at my Houſe.

Q. When did ſhe bring it?

Simſon. A great while ago, I can't tell the Time; it may be Half, or three Quarters a Year; it was made as it is, for the Child to wear.

Court. Recollect how long it was ago.

Simſon. I know it was before laſt Summer: I nurs'd the Child for her; the Child is almoſt four Years old.

Q. Was that Silk ever ſearch'd for, or demanded by you?

Simſon. Yes, my Lord, they went and took an Inventory of the Child's Things.

Q. (to John Manning) Do you know any thing of that Silk? Where did you find it?

Manning. I found it at Mrs. *Simſon*'s, at *Chelſea*; I went there to enquire after *Suſannah Jones*, the Priſoner at the Bar: Going there the Woman told me ſhe ſhould ſee her the *Tueſday* following, in the City, or at her Houſe; I was there before Eight o'Clock; ſo ſhe took a Pair of Oars to go to ſee *Suſannah Jones*, and I took another to follow her.

I ſaid

I ſaid to the Waterman, Keep up cloſe, I will pay you ſomething extraordinary for it. The Man being acquainted with the other Waterman, aſk'd him where he was bound for? he anſwer'd, *Blackfryers*; ſo I ſaid to my Waterman, You land where the other lands. When ſhe got out of the Boat, I dogg'd her up *Blackfryers*, and from thence to the *Saracen's-Head* on *Snow-hill*. I ſent to my Maſter, and told him I had ſet Mrs. *Jones*; there I waited ſome Time, and they went from thence into *Newgate-Street*, and from thence to the *Harrow* in *Greyfryers*; ſhe ſaw me, and went to run down that Place; I ſaid, Mrs. *Suſan*, you ſhall go no further, you ſhall not ſlip my Hands.

Q. (to Bradſhaw) Have you any Reaſon to ſuſpect that this Silk was ſtole from you?

Bradſhaw. This Silk was in a Gown for my Wife, 'tis very remarkable; I bought it in *France*. Another Reaſon I have to believe it to be the ſame is, that the whole Breadth is cut, and half the Breadth cut in two.

Q. When was this miſs'd?

Bradſhaw. It was not miſs'd when the Priſoner left my Houſe; it might be about ſix Months, for my Wife had no Occaſion to look after the Silk.

Q. (to the Priſoner) What have you to ſay in your Defence?

Jones. My Lord, I bought it behind St. *Clement*'s. Guilty.

Suſannah Jones was indicted a ſecond Time for ſtealing one laced Cambrick Handkerchief, Value 10 s. one Linnen Shift, Value 5 s. the Goods and Chattels of *Alexander Godwin*, the 7th of *June*.

Q. (to Alexander Godwin) Do you know the Priſoner at the Bar?

Godwin. Yes.

Q. Did you loſe any thing at your Houſe; as a laced Cambrick Handkerchief, *&c.* do you know any thing, of your own Knowledge, of the Priſoner's taking them?

Godwin. Here are others will ſpeak to it, *&c.*

Q. (to Anne Kendall) Do you know of any Goods, at any Time, to be pawn'd?

Kendal. My Lord, ſhe gave me the Key, and ſent me to the Place where ſhe had a Box of Goods.

Q. When was this?

Kendal. About a Week ago; ſhe gave me the Key, and order'd me to fetch ſuch Things out of her Box to pawn, (the Goods were produced in Court) and I pawn'd them at this Gentleman's, Mr. *Meſſenger*'s.

Q. (to Mr. Meſſenger, the Pawnbroker) Do you know any thing of this Woman?

Meſſenger. Yes; ſhe brought an Apron, Handkerchief and Ruffles, *&c.* and I lent her twenty Shillings upon them. She has dealt with me near three Years; I had a Character of her.

Q. How long did they continue in your Poſſeſſion?

Meſſenger. They were with me 'till *Tueſday* was ſe'nnight: Mr. *Godwin* and his Spouſe came to my Houſe, and I brought them all down to them.

Q. (to Mary Sweet) Do you know any thing of the Goods?

Sweet. Several of her Goods were left at my Houſe; I lent her a Box to put them up in, for I thought they were her own.

Q. (to Mary Godwin) Do you know whoſe Goods theſe are?

Godwin. The laced Handkerchief is not my own; there are a Pair of Ruffles and laced Cap are mine; there are four Yards, I think, within half a Quarter, upon them; the Shift and Apron are mine.

Q. When were theſe Things loſt?

Godwin. In *May*. The Priſoner came to me the 14th of *February*, and continued with me to the 7th Day of *June*.

Q. Had you miſs'd any of theſe Things before the 7th of *June?*

Godwin. It was on the 7th of *June* that I miſs'd the Lace.

Q. (to the Priſoner) Have you any Witneſs to call?

Priſoner. I did not know I wanted any Witneſs to my own Things.

Alexander Godwin. My Lord, I miſs'd Goods at ſeveral Times. A Perſon that quarrell'd with her inform'd me of ſeveral Things. She ſerv'd me with a Writ for falſe Impriſonment; ſhe employ'd Mr. *Moore*, (a Sort of Attorney) to come to me. Here's Witneſs to prove, that, at leaſt, ſhe would get four or five hundred Pounds of me. Guilty.

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344. **Robert Radwell** was indicted for ſtealing one Gelding, of a black Colour, the Property of *John Arnold*, Eſq;

Q. (*to Henry Morgan*) What have you to alledge againſt the Priſoner, with reſpect to the Fact for which he ſtands charg'd?

Morgan. This was a black Horſe belonging to the Train of Artillery, the Property of *John Arnold*, Eſq; *Robert Radwell* rode the Horſe from *Scotland* to *Kickſend*.

Q. Did

Q. Did you belong to the Train of Artillery?

Morgan. I did.

Q. In what Capacity was the Prisoner at the Bar? Did he belong to the Train of Artillery?

Morgan. Yes; he overtook us at *Mansell*, and came to *Kicksend*. Mr. *Arnold* furnish'd all the Horses belonging to the Artillery.

Q. Well, what have you farther to say?

Morgan. Then he came along with us as far as *Kicksend*.

Q. *(to John Rose)* What is it that you know of this Matter? or what have you to say against the Prisoner?

Rose. On the 16th Day of *June*, at *Kicksend*, I put the Saddle and Bridle upon that Horse he rode; he rode from *Kicksend* to *Barnet*. He went on *Sunday* to see his Brother; we left him at *Highgate*.

Q. Was the Horse deliver'd to the Prisoner?

Rose. Yes, my Lord, by the Conductor's Orders.

Q. *(to the Prisoner)* Will you have the Witness ask'd any Questions?

Prisoner. No more, than that he knows I behav'd very well.

Q. *(to the Witness)* How did he behave?

Rose. He behav'd well.

Court. We'll ask the same Question to *Morgan*; How did he behave all the Time upon the Road.

Morgan. I have nothing to say against his Behaviour.

Q. *(to John Dean)* Where do you live?

Dean. At *Barnet*, my Lord I bought a black Gelding that belong'd to Mr. *Arnold*.

Q. On what Day?

Dean. On the 7th of *August*.

Q. What did you give the Prisoner for the Horse?

Dean. I was to give him forty-five Shillings at *Whetstone*.

Q. Did the Prisoner offer him to sale.

Dean. I heard of him, and I call'd upon him at *Whetstone*; I gave him Sixpence Earnest. He told me he bought it of one Mr. *Clark*, Mr. *Arnold*'s Conductor; I said I would have it toll'd, and there was a drunken Fellow to vouch it; he said he saw the Prisoner buy it at *Smithfield*; which was so contrary a Story to what the Prisoner had told, that he had bought it of one of Mr. *Arnold*'s Conductors, that we took him up upon it.

Q. *(to the Prisoner.)* Would you have this Gentleman asked any Question?

Prisoner. I have no Question to ask, any further than that I sold the Horse to him.

Q. *(to the Prisoner.)* What have you to say for yourself?

Prisoner. I was along with the Train of Artillery three Quarters of a Year, when the great Troubles happened, but I never was in such a thing before in my Life. Guilty, **Death.**

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345. **Benjamin Lewis** was indicted for stealing one Snuff-Box, value 7 s. one Gold Ring, value 18 s. one Gold Ring, value 4 s. five Silver Knee-Buckles, value 4 s. 6 d. a Moidore, eight Guineas, between 30 and 40 s. in Silver, the Monies and Properties of *John Fisher*, the 31st of *August*.

Q. *(to John Fisher.)* Did you lose any thing out of your House?

Fisher. I lost a Snuff-Box worth 7 s. one Gold Ring worth 18 s. another worth 4 s. five Silver Knee-Buckles worth 4 s. 6 d. a Moidore, eight Guineas, between 30 and 40 s. in Silver, *&c.*

Q. Where were all these Things?

Fisher. In a Drawer in the Bar, my Lord.

Q. What Day did you lose them?

Fisher. Between the 30th and 31st of *August*, on *Sunday* Morning.

Q. When did you see them?

Fisher. The very Day before, I had them in my Hand.

Q. Was your Drawer lock'd?

Fisher. Yes, my Lord.

Q. Did you find it unlock'd?

Fisher. I found the Drawer taken away, and all in it.

Q. Did you find any of your Things again?

Fisher. Yes, my Lord, I found the Snuff-Box in a Gentleman's Hand that the Prisoner had sold it to.

Q. Have you found any of your other Things again?

Fisher. No, my Lord.

Q. Did you take up the Prisoner at the Bar?

Fisher. No, my Lord, he was taken up by a Pawnbroker for something else.

Q. When you found the Snuff-Box upon him, did you tax him with the other Things?

Fisher. Yes, my Lord, and he confessed that he had Part of the Money.

Q. What were the Words he confessed; did he confess he took away the Drawer, or the Snuff-Box?

Fisher. He confessed he saw a Man come from my House, and he asked him what he had got there, *&c.*

Q. Where does the Prisoner live?

Fisher. My Lord, he liv'd by me; I think he is a Child's Shoemaker.

Q. (*to George Greensword.*) Do you know that Snuff-Box?

Greensword. Yes, I bought it of the Prisoner at the Bar, at a Publick House near our House; I gave 8 s. for it.

Q. What did you buy a Snuff-Box for?

Greensword. I bought it for my Wife, but she would not accept it.

Q. What did he say when you bought it?

Greensword. He said he had it of a Friend of his that wanted Money.

Q. Where did he say he had it?

Greensword. He said, on *Sunday* Morning he saw a Man come with something out of the Prosecutor's House; and he said to him, What have you got there? and the Man gave him the Snuff-Box and Half a Guinea to hold his Tongue.

Q. (*to John Cator.*) What do you know of this Affair?

Cator. When Mr. *Fisher* was robbed, he asked me whether I had received a Note. I had not. He desired me to go to *Bridewell*, and to enquire of the Prisoner, whether he had this Note, or could get out of him the two Gold Rings. I asked the Prisoner if he had any Note sign'd *Thomas Cator*; he said he did believe he had. Mr. *Fisher* did say, Have you two Gold Rings? He was pleased to d——n the Box, however, and said there was between seven and eight, but few of them Gold: He said there was another Note besides mine. I asked him whether I could have my Note again; he said, it should never come against me, he would either give it me, or it should be destroy'd, and that he had them of a Man, *&c.* as before-mention'd.

Q. (*to the Prisoner.*) What have you to say for yourself?

Prisoner. He asked me concerning a Note; I told him I knew nothing of it. Mr. *Fisher* sent Men to me to make me fuddled, and I gave Men in *Bridewell* the Liquor, because I did not chuse to drink to Excess.

Q. (*to Roger Berrel.*) How long have you known the Prisoner?

Berrel. About six Years, he used my House and behaved very well.

Q. Is the Prisoner a married Man?

Berrel. Married.

Q. (*to John Shirison.*) What do you know of the Prisoner?

Shirison. I have known the Prisoner for three Years and a half, and never saw any Misbehaviour in the young Fellow in my Life.

Q. (*to Daniel Smith.*) What do you know of the Prisoner?

Smith. I have known him these four Years; he was always a hard working Man.

Q. (*to John Cartwright.*) What do you know of the Prisoner at the Bar?

Cartwright. His Character was always very good as far as I know.

Q. (*to Alexander Mitchen.*) Do you know the Prisoner?

Mitchen. I have known him three or four Years; he had a very good Character, he behaved very well.

Q. (*to William Bliss.*) How long have you known the Prisoner?

Bliss. I have known him six or seven Years, he had always a good Character, as far as I know.

Q. (*to Anne Simons.*) What Character has the Prisoner?

Simons. He has a very good Character, has been a laborious young Fellow. Guilty.

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346. **Thomas Mealham** was indicted for stealing one Livery Suit of Clothes, the Property of Mr. *Porter*, and one Cloth Coat, *&c.* the Goods of *Benjamin Sumers*, the 7th of *September*.

Q. (*to Benjamin Sumers.*) Do you know the Child at the Bar?

Sumers. I am Coachman to Mr. *Porter*, and I have lost a great many Clothes out of Mr. *Porter*'s Stable; I lost a Great Coat and a Suit of Livery, a Coat and Waistcoat besides.

Q. How long had you them?

Sumers. I had them four Months.

Court. You don't lay them as yours?

Sumers. No, they were my Master's, my Lord, Mr. *Porter*'s. The Livery Clothes were taken out of the Stable the 7th of *September*.

Q. What Reason have you to say that the Prisoner at the Bar had any thing to do with taking them?

Sumers. On the 28th of *September* I caught that Boy rising a Ladder against the Loft Door.

Court. That Boy rise a Ladder!

Sumers. A small Ladder that we used to clean the Coach.

Q. Did you lose a Cloth Coat of your own, besides your Master's?

Sumers. Yes, my Lord, it was a Cloth Coat. I lost them the 7th of *September*, and the 28th I catch'd

catch'd the Priſoner riſing the Ladder againſt the Loft.

Q. What then?

Sumers. I aſk'd him what Buſineſs he had there? He told me he had loſt his Top in the Horſe-Pond.

Q. But what had that to do with the Loft?

Sumers. It was juſt by the Loft, where he roſe the Ladder; I examin'd, but I could ſee no ſuch Thing as a Top. About a Fortnight before that, he puſh'd open the Stable Door; he aſk'd me whether it was not a Thorough-fare; I told him, no. He told me that one of the Bricklayers had ſent him up, and told him it was a Thorough-fare. I ſent him out. When I took him at the Ladder, he declared to me, he never was in the Yard before.

Q. (*to George King.*) What are you?

King. I am the Conſtable. When the Boy was charg'd with me, I carried him to the *Compter*. The laſt Witneſs charg'd him on Suſpicion. It being *Sunday*, and the next Day *Michaelmas-Day*, we could not be heard; but the Day after we brought him before Juſtice *Pennant*.

Q. (*to James Norril.*) How old are you?

Norril. Between 13 and 14.

Q. Do you know any thing of the Nature of an Oath?

Norril. They muſt not ſwear any more than Truth.

Q. What is your Notion if a Perſon takes a falſe Oath.

Norril. Their Souls go to Hell to be ſure.

Q. What have you to ſay to the Priſoner at the Bar?

Norril. That Boy (the Priſoner) and I went up the Yard.

Q. Any body elſe?

Norril. None but him and I.

Q. What Yard did you go up?

Norril. 'Tis a Gentleman's Yard in *Broad-Street*. It was on a *Sunday* Night, I can't tell what Month.

Q. How long ago?

Norril. It might be about ſix Weeks ago.

Q. What did you do then?

Norril. Then he took a Pane of Glaſs out of the Window, juſt over the Place where they ſhoot the Dung.

Q. How did he get into the Stable?

Norril. He took a Pane of Glaſs out of the Saſh and put it upon the Dunghil, then got in.

Q. When was this?

Norril. Between One and Two in the Afternoon.

Q. How could he raiſe himſelf to the Place?

Norril. Where they ſhoot their Dung, the Caſement was juſt over it; he got upon the Dung, then he could get in as eaſy as any thing.

Q. Did he take any Thing out.

Norril. Yes, my Lord, I was in the Yard at the ſame Time; there was a Coat, Waiſtcot, and a Pair of Breeches. We came afterwards and got a brown Coat, *&c.*

Q. Who carry'd them off?

Norril. He carry'd them: We tied up the Coat, Waiſtcoat and Breeches in a Handkerchief.

Q. What were they a Child's Coat and Breeches?

Norril. A Man's Coat and Breeches, my Lord.

Q. What Sort of a Handkerchief was it?

Norril. A blue Handkerchief.

Q. Where did he tie them?

Norril. In the Neceſſary-Houſe that is in the Yard.

Q. Did you help him to tie them up?

Norril. Yes, my Lord.

Q. What did you do with them afterwards?

Norril. We ſold them in *Houndſditch*, to one *Aaron Cordozer*, over-againſt the Gullyhole. We ſold the Coat, Waiſtcoat and Breeches for 9 s. When we got the white cap'd Coat and brown Waiſtcoat we ſold them to the ſame Perſon for 3 s.

Q. Who got into the Stable a ſecond Time?

Norril. He went in, my Lord.

Q. When was it that you made this Confeſſion?

Norril. About a Week ago.

Q. Was you taken up before you made this Confeſſion?

Norril. Yes, my Lord.

Q. Are there any other Witneſſes?

Norril. No, my Lord.

Q. (*to Jane Swanſon.*) What have you to ſay on the Behalf of the Priſoner?

Swanſon. I have known him ever ſince he was three Years old.

Q. What are his Friends?

Swanſon. His Friends are poor working People.

Q. Are you any Relation to the Priſoner?

Swanſon. No, Sir.

Q. Does the Boy go to School any where?

Swanſon. He has been at School at a Houſe in *Wingfield-Street, Spitalfields.*

Q. Are his Father and Mother here?

Swanſon. I don't know that they are; I ſaw his Father here to Day. Acquitted.

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347. **John Jetter** was indicted for ſtealing a Piece of Gold Coin, call'd a Guinea, out of the Shop

Shop of *Thomas Morgan*, on the 13th of *April* 1745.

Q. (*to Thomas Morgan.*) What have you to ſay againſt the Priſoner?

Morgan. On the 13th of *April* laſt was a Twelve-Month I loſt a Guinea; this Man, the Priſoner at the Bar, and another along with him, came into my Shop: My Wife had juſt receiv'd four Guineas, and puſh'd them up towards me to put them into the Till; but I was buſy and the Priſoner put out his Hand and took up a Guinea: I ſaw him, but thought he would have put it down again. He withdrew himſelf as if he would go out, and ſaid, you know I am an honeſt Man, I will ſoon return it; ſo he whipp'd away.

Q. Are you ſure that he took the Guinea away?

Morgan. Yes, my Lord, I ſpoke to him when he was going away, and that was his Anſwer.

Q. How long was this ago? You ſay laſt *April* was a Twelve-Month.

Morgan. This Man, my Lord, was never to be found by me nor others that wanted to take him. I heard that the other Perſon went ſometimes as his Servant, his Footman, and ſometimes for his Son.

Q. What Time of the Night was it?

Morgan. About Ten o'Clock.

Q. What Shop do you keep?

Morgan. A Broker's Shop, my Lord.

Q. What did you ſell there?

Morgan. Not much; ſometimes I ſell ſome Things. I went to ſeveral Places to enquire after him: I am poſitive this is the Man, I ſaw him at my Houſe twice before, about a Fortnight before that Time.

Q. What Buſineſs did he follow?

Morgan. I never heard of any Buſineſs, beſides taking of Houſes and defrauding People; I never heard any other Character of him in my Life.

Court. (*to the Priſoner.*) You hear what this Man ſays.

Priſoner. This Man is a Pawnbroker, my Lord; I was oblig'd to pawn ſome Things about a Twelve-Month ago, and he lent me a Guinea more upon them about a Week after: I wanted a little more Money upon a Wig that coſt me three Guineas. Aſk him whether he did not lend me a Guinea more upon the Plate laſt *Eaſter Saturday* was a Twelve-Month; upon two Silver Spoons and a Silver Salt.

Q. (*to Morgan.*) Had you any Plate of him in pawn? Was there any Money advanced as he ſpeaks of?

Morgan. Not one Farthing at that Time.

Q. What did you advance at firſt upon the Plate?

Morgan. My Lord, I don't remember exactly what it was; but he had it again.

Q. When you was robb'd of this Guinea did you purſue the Priſoner?

Morgan. My Lord, I went to the Door, but I could not ſee where he was gone.

Q. (*to Hannah Morgan.*) What do you know of this Matter?

Morgan. I know, Sir, he came to our Houſe; I was buſy behind the Compter in receiving ſome Money. I ſhov'd ſome Guineas towards my Huſband, and deſir'd him to take Care of them; the Priſoner directly took up a Guinea and ran out.

Q. What Day was that?

Morgan. Really, my Lord, I can't tell juſtly the Day, but it was about a Twelve-Month ago. My Huſband went ſeveral Times after him, but could not find him.

Court. (*to the Priſoner.*) This Woman ſays ſhe was in the Shop at the Time when you took up this Guinea.

Priſoner. Her Huſband ſaid, let my *Jetter* have a Guinea more upon his Plate.

Francis Marſhal. The Priſoner has cheated me of 20 l.

[The Priſoner's Son appear'd in Court for his Father, who declar'd he was preſent in the Shop when he receiv'd the Guinea; and told a Sort of a Story that the Guinea was advanced to get up ſome Writings that they ſhould gain great Advantage by; but he being concern'd in helping his Father to make his Eſcape out of *Newgate*, he was taken up and clapp'd in Irons; though at the breaking up of the Seſſions the Court order'd him to be releas'd.]

Guilty Tranſportation.

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348. **Katherine Jolly** was indicted for ſtealing two large Silver Spoons and a Tea Spoon, the Goods of *Anne Eddiſon*, of *Chiſwell-Street*.

Q. (*to Anne Eddiſon*) Did you loſe any Thing?

Eddiſon. Yes. A large Spoon and a Tea Spoon, the 27th of *September*.

Q. Where were theſe Things?

Eddiſon. In a little Buffet.

Q. Where do you live?

Eddiſon. In *Chiſwell-Street*.

Q. When did you firſt miſs them?

Eddiſon. The Maid miſs'd them preſently after th Priſoner was gone out of the Houſe.

Q. Do

Q. Do you know the Priſoner?

Eddiſon. Yes, my Lord, ſhe was with me 14 Years ago, ſhe nurs'd me; ſo ſhe came to ſee me.

Q. What Time was it?

Eddiſon. About Two or Three o'Clock in the Afternoon.

Q. How long did ſhe ſtay?

Eddiſou. About an Hour and Half.

Q. Did you make any Purſuit after her?

Eddiſon. She ſaid ſhe lived down at *Tower-Hill*; I went down that Way, and going about the Street I enquired of Black-ſhoe Folks, and the like, and I heard of her; at laſt I came up *Wellcloſe-Square* and I ſaw her ſtanding in *Roſemary-Lane* the next Day; I aſk'd her whether ſhe was not at my Houſe yeſterday Afternoon, ſhe ſaid yes; I deſir'd her to go home with me; which ſhe accordingly did; then I aſk'd the Maid if that was not the Perſon, and the Maid ſaid yes; ſo I charg'd her with the Robbery, and ſhe told me ſhe had not got them; I pleaded with her hard to tell me where the Spoons were; ſhe would not tell me any Thing about them, ſo I charg'd the Conſtable with her. After we got her before the Juſtice ſhe confeſs'd it, ſhe ſaid ſhe was turn'd out of her Lodgings, that ſhe had not a Farthing in the World to help herſelf; that ſhe had ſold the great Spoon, and the little one ſhe threw into the Vault.

Q. What was it worth?

Eddiſon. They were both valued at 5 s. She told me ſhe had pawn'd it in *Ratcliffe Highway*, ſo on the *Friday* I went to every Silverſmith and Pawnbroker I could find, and I happen'd to go to this Gentlewoman's Houſe, Mrs. *Wiles*; I aſk'd if there was not a Spoon there that *Katherine Jolly* had brought for a Crown, and ſhe told me there was ſuch a one brought; I aſk'd her to tell me the Marks, ſhe believ'd it was the ſame Spoon that *Katherine Jolly* had ſhewn her: She would have ſold it or pawn'd it, but the Pawnbroker would not receive it.

Q. (*to Mary Snow*) What are you?

Snow. I am a Servant Maid.

Q. Did the Priſoner come to your Miſtreſs's Houſe at any Time?

Snow. Yes my Lord; the 25th of *September*.

Q. How long did ſhe ſtay?

Snow. An Hour and Half.

Q. Did you remember when your Miſtreſs brought her the next Day?

Snow. Yes my Lord.

Q. Do you remember what ſhe ſaid?

Snow. I heard her confeſs it before the Juſtice; ſhe ſaid ſhe had pawn'd one for a Crown, to pay her Lodging, and the other ſhe hurl'd away.

Q. (*to Anne Wiles*) Did the Priſoner bring any Spoon to pawn?

Wiles. Yes, ſhe did; ſhe deſir'd me to buy it, or ſhe would pawn it, ſhe ſaid ſhe brought it for a Friend, I ſaid I would not trouble myſelf about it; but as near as I can gueſs it was much the ſame as Mrs. *Eddiſon* ſhew'd me. Guilty 10 d.

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349. **Mary Adams** was indicted for ſtealing a Silver Spoon, Value 7 s. the Goods of *John Manning*, of *Charing-Croſs*.

Q. (*to John Manning*) What have you to alledge againſt the Priſoner?

Manning. She came into the Kitchen and took the Spoon.

Q. Was you in the Kitchen yourſelf?

Manning. No, my Lord.

Q. How do you know ſhe took the Spoon? Did you ſee her come out of the Kitchen?

Manning. When Dinner is over the Pewter is waſh'd up and brought into the Bar, and a Spoon being loſt, all the Servants were examin'd about it; but as it could not be found I was thinking of advertiſing of it; in the mean Time, one Mr. *Clew*, Conſtable of *Weſtminſter*, came to me and aſk'd me if I had loſt any Thing; I told him I had juſt miſs'd a Silver Spoon, and he ſaid he had got one. She went to pawn it to him, and he had the Spoon in his Cuſtody; I told him if it was mine I would ſhew him the Fellow to it, which I did; when I went down to the Round-Houſe with the Conſtable, ſhe begg'd I would be favourable to her, and ſhe would never do any ſuch Thing again.

Q. Are you ſure this is the Woman that came to your Houſe?

Manning. I am ſure of the Woman. When I went down to the Round-Houſe ſhe begg'd I would be favourable to her; I told her it was out of my Power, it muſt be as the Law directs; with that I went to Juſtice *Manly*. She ſaid it was given her among ſome broken Victuals, ſome ſtew'd Beef, which we had none of for two Days before. Firſt ſhe ſaid it was given her with broken Victuals, and afterwards own'd that ſhe took it.

——*Clew.* I am the Conſtable of St. *Margaret's*, *Weſtminſter*.

Q. What have you to ſay againſt the Priſoner?

Clew. Mr. *Pearſon* ſent for me, when I came, there was this Woman, the Priſoner at the Bar, with this Spoon.

Q. What did he charge her with?

Clew. He ſtopp'd this Spoon, as ſtolen.

Q. Was you with her before the Juſtice.

Clew. Yes, my Lord.

Q. What did ſhe ſay at Juſtice *Manly*'s?

Clew. She deny'd the taking of it.

——— *Pearſon.* On Saturday the 4th of *October* came in a ſhort Woman, (not the Priſoner at the Bar) with this Spoon; ſhe deſir'd to know if it was Silver, and what ſhe might have for it, and ſaid ſhe found it upon a Dunghill in *Tyburn-Road*. Whilſt I was ſpeaking with the Woman the Priſoner at the Bar immediately ſaid, 'tis my Spoon; and that it was given her: I ſaid, given you, by whom? ſhe ſaid, at the Houſe where I had ſome broken Victuals: I aſk'd her what Houſe, and bid her tell me particularly and I would ſend my Servant; ſhe ſaid ſhe could not tell; I then ſaid I would charge a Conſtable with her; ſhe ſaid it was her Property, and ſhe gave it the other Woman to pawn; upon that I ſent for the Conſtable, and went before Juſtice *Manly*; there ſhe ſaid it was given her with broken Victuals; he aſk'd her how much, ſhe ſaid about as much as you could hold in your Hand; he ſaid it was ſtrange ſuch a Spoon ſhould be buried in it. She ſaid it was ſtew'd Beef. Guilty 10 d.

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350. **Thomas Hinſon** was indicted for ſtealing two Camblet Skirts of Coats, value 7 s. a Linnen Shift value 1 s. a Laced Hankerchief value 10 s. two Shirts value 6 s. a Pair of Linnen Sleves value 6 d. two Pieces of Linnen Cloth value 8 d. *&c.* the Property of *William Abbot*.

But the Proſecutor not appearing, he was Acquitted.

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351. **Suſannah Grey** was indicted for ſtealing a Feather-Bed value 5 s. a Bolſter value 2 s. a Blanket value 1 s. two Copper Pots value 2 s. eight Pewter Plates value 8 s. *&c.* the Goods and Chattels of *John Kelly*, Eſq;

But the Proſecutor not appearing, ſhe was Acquitted.

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352. **Mary Medſter** was indicted for ſtealing two Copper Stewpans value 12 s. a Copper Saucepan value 4 s. and a Linnen Shirt value 4 s. the Property of *James Smart*,

But the Proſecutor not appearing, ſhe was Acquitted.

353, 354. **George Taylor** and **Mary Robinſon**, Widow, otherwiſe the Wife of the ſaid *George Taylor*, were indicted for conſpiring together, that the ſaid *George Taylor* ſhould perſonate Mr. *Richard Holland*, in order to her being married to the ſaid *Richard Holland*, that ſhe might entitle herſelf to his Eſtate, *&c.* and accordingly they were married the 18th of *July*, at the Pariſh Church of St. *Andrew*, *Holbourn*.

Council for the Proſecution. This Indictment further ſets forth, that *Mary Robinſon*, upon the 18th Day of *July*, at the Pariſh of St. *Andrew*, *Holbourn*, did unlawfully contract Marriage with the the ſaid *George Taylor*, in the Name of the ſaid *Richard Holland*, &c.

Council. I am likewiſe Council in this Cauſe for the Proſecution; though this Indictment is laid ſeveral Ways, as is uſual in ſuch Caſes, in order to prevent notorious Offenders eſcaping Juſtice, yet the Sum of the Indictment is only the fraudulent and wicked Contrivance of a Marriage between the two Defendants, in which the Defendant *Taylor*, was to perſonate, and did perſonate, Mr. *Richard Holland*. This is laid to be with a Deſign to diſtreſs and injure Mr. *Holland*, to entitle *Mary Robinſon*, after his Death, to his Eſtate and Effects, as ſuppoſing this had been a real and true Marriage between Mr. *Holland* and her; but in this Caſe the Intent of the Perſon can be made no otherwiſe than by the Nature and Circumſtances of the Fact; therefore, Gentlemen, I would beg Leave to ſtate the Nature of the Thing; this Perſon, *Mary Robinſon*, liv'd with Mr. *Holland*. The firſt Step we could trace out, was the Meeting of the two Defendants at the *Sun-Tavern* in St. *Paul*'s *Church-Yard* in *July* laſt.

You can't expect we ſhould call Witneſſes to this Meeting, the Nature of the Thing will not admit of it; the Intent of that Meeting will appear beſt by thoſe Actions that follow it; therefore, Gentlemen, I ſhall go to the next Step, taken the 18th of *July*: As this Defendant, *George Taylor*, was to perſonate Mr. *Holland*, who is a Gentleman of Fortune, it was neceſſary he ſhould be provided with proper and decent Cloaths to perſonate a Gentleman; for that Reaſon the Defendant, Mrs. *Robinſon*, on the 17th of *July*, ſent a Box from her Maſter's Houſe at *Hornſey*, in which there were a Coat of Mr. *Holland*'s, a ruffled Shirt, Neckcloth and Wig, theſe were directed to be left at Mr. *Casker*'s, who keeps an Inn in *Little Britain*, the 18th of *July*. The Defendant came to Town from *Hornſey* herſelf, goes to Mrs. *Casker*, finding it there ſhe gave Directions

tions to deliver this Box to the Perſon ſhe ſhould ſend for it; when ſhe had done this, ſhe went directly to Mr. *Holland*'s Houſe in *Newgate-Street*, there ſhe pull'd off a ſort of Riding Habit, and dreſs'd herſelf in white Sattin, which is in general looked upon to be the proper Habit for a Bride. As ſoon as ſhe was dreſs'd, ſhe went to the *Sun* Tavern in St. *Paul's Church Yard*, where they had their former Meering; it was now about Eight o'Clock in the Morning. There ſhe diſpatched another Meſſenger for *George Taylor*, at the *Eaſt-India Houſe*, where he was ſure to be in the Way: He came directly to Mrs. *Robinſon*, at the *Sun Tavern* in St. *Paul's Church Yard*. As ſoon as he came, ſhe ſent him to *Doctors-Commons* to procure a Licence for Marriage, in the Name of *Richard Holland* of *Hornſey*, Batchelor, and *Mary Robinſon*, of the ſame Place, Widow. The Defendant, *Taylor*, goes to *Doctors-Commons*, and enquires for Mr. *Ruſhworth*, Proctor; this Mr. *Ruſhworth* aſk'd him whether he was the Perſon to be marry'd; he anſwer'd he was not: Perhaps you will wonder, he that was to perſonate Mr. *Holland*, ſhould ſay he was not Mr. *Holland*; the Reaſon of that was, that he had not as yet got on the Cloaths of Mr. *Holland* that were deſign'd for him. Upon this Mr. *Ruſhworth* told him that he muſt have one of the Parties themſelves come to him, and that Party muſt enter into a Bond, or make an Affidavit, or he could not grant a Licence. He returned to the *Sun Tavern*, where the Defendant *Robinſon* was waiting for him, and told her what Mr. *Ruſhworth* ſaid; ſhe goes immediately to Mr. *Ruſhworth*, and enters into Bond according to the Practice of that Court and Place, and the Place that was fix'd upon for this Marriage, was at St. *Andrew's Holbourn*; it was not at the *Fleet*, or any ſuch ſcandalous Place, therefore the Place fix'd upon was St. *Andrew's*. When Matters were ſo far prepar'd, the next Step was, ſhe dreſs'd up the Defendant, *Taylor*, in order to perſonate Mr. *Holland*; therefore, Gentlemen, he is ſent to Mr. *Casker* for this Box; the Box is delivered to him according to the Direction of the Defendant *Robinſon*; he carries it to Mr. *Stangate*'s in *Holbourn*, opens the Box, takes out the Coat, Neckloth, and Wig, and puts his own Cloaths in the Box: He then goes immediately to the *King's Head Tavern*, *Holbourn*, where the Defendant, *Robinſon*, was waiting for him, to go to be married. When he came there, it was neceſſary the Wig ſhould be comb'd out; the Wig was comb'd out; from thence they went immediately to the Church, where the Defendant, *Taylor*, anſwer'd to the Name of *Richard Holland*, and was married in that Name: So they return'd to the *King's Head Tavern* to take a ſhort Dinner. It was then thought the Buſineſs was done. They had then done with the Cloaths of Mr. *Holland*, therefore the next Thing was to ſend them out of the Way; ſo the Defendant, *Taylor*, goes back to Mr. *Stangate*'s, changes his Cloaths, puts Mr. *Holland*'s Cloaths into the Box, and takes a Perſon to carry the Box to Mr. *Caskers*. About an Hour after, the Defendant, *Robinſon*, goes to enquire after this Box; ſhe gets ſomebody to carry it to Mr. *Holland*'s, and at Mr. *Holland*'s there was a Key of the Box left with the Defendant, *Taylor*, but it happen'd that the Wig in this Box was miſſing, and it happen'd likewiſe there were ſome Papers in the Coat Pocket, which he put up in a particular Manner, which when he came to ſee again, he found they were put out of Order: Theſe two Things together, with ſomething Mr. *Holland* was told, gave him ſome Suſpicion, that he ſet about ſearching into this Affair; upon that he took up both the Defendants, and carried them before Sir *Thomas De Veil*. The Defendant, *Taylor*, made a Confeſſion; we have Evidence of both their Confeſſions, but we believe we ſhall hardly have Occaſion to make Uſe of either of them, but there is one Circumſtance that may be mentioned, which happen'd upon this Information. The Defendant, *Taylor*, was aſk'd, whether the Marriage was conſummated; upon that the Defendant, *Robinſon*, ſaid, you don't underſtand the Meaning of that Word; upon that he ſpoke plainly, that he had not lain with her. I mention this to ſhew that there was no real Marriage intended by theſe two Perſons, but a fraudulent Marriage to another Perſon. 'Tis not to be ſuppos'd, that Perſons that had ſo much Art and Wickedneſs to conduct a Scheme of this Kind, ſhould have ſo much Honeſty to declare their wicked Intentions, therefore the Fact muſt be gather'd from Circumſtances. Let us conſider what would be the natural Conſequence of this Marriage, ſuppoſe it could have been brought to take Effect, between Mr. *Holland*, and the Defendant, *Robinſon*; if it took Effect in his Life-time, it would have been the greateſt Injury imaginable, not only in Point of Fortune, in marrying a Gentleman of Fortune to a Servant, a Perſon worth nothing, and probably leſs than nothing, and binding him to a Woman; whereas the very Manner of his being bound to her, he muſt deteſt and abhor. If it was to take an Effect after his Death, then it would be a great Loſs to the Heirs of Mr. *Holland*, who would loſe ſo much of their own juſt Rights. 'Tis not only a Miſdemeanour, but of ſuch a heinous Nature,

ture, that there is no Puniſhment that the Law can inflict for a Miſdemeanour, is ſevere enough.

Pleaſe your Lordſhip, I am likewiſe Council for the Proſecution.——Gentlemen, this is an Offence of the moſt uncommon Kind, as well as of a moſt wicked and dangerous Tendency. 'Tis a Robbery not only againſt a ſingle Perſon, but his Heirs and Executors; it would leave an Imputation of Charge upon him after his Death: All this was to be effected after his Death, the Conſequence of this would have been, to ſet up Claims for the Diſtribution of his Eſtate againſt his Heirs and neareſt of Kin: Nay, it might have been attended with another Conſequence; he might have married a Lady, and have had Children, that this fictitious Marriage might have been ſet up againſt his real one, and might prove his lawful Children to be illegitimate, and his Eſtate go amongſt Counterfeits and Impoſtors.

The Common Law of England, as 'tis a Law of Mercy, anticipates the Devices of wicked People; therefore, Gentlemen, if we prove this Fact of Confederacy, if that Man did perſonate Mr. *Holland* in that Marriage, you will inflict ſuch a Puniſhment as the Crime deſerves, *&c.*

Court. I am not for going a round-about Way when a ſhorter is ſufficient; you might go through all the other Evidence for the Entertainment of the Audience, but if you prove the Fact 'tis ſufficient.

James Wright. By Vertue of a Licence from the *Commons*, the 18th of *July*, immediately after Morning Prayers, I married a Couple by the Names of *Mary Robinſon*, of the Pariſh of *Hornſey*, Widow, and *Richard Holland*, Batchelor, of the ſame Place.

[The Licence produced in Court.]

Q. (By the Council for the Defendants) By what Names did they go?

Wright. By the Names of *Robinſon*, Widow, and *Richard Holland*, Batchelor, as mention'd in the Licence.

Q. Are you ſure he *(Taylor)* was one of them?

Wright. Yes, my Lord.

Q. Was it Regiſtered?

Wright. Yes, Sir: As to the Woman I can't pretend to ſay; ſhe had a large Bonnet covered all over her Eyes.

Council for the Defendants. Mr. *Wright*, ſince you ſpeak to the Identity of the Man, do you know that you ever ſaw him before? I ſuppoſe you marry a great many Perſons. Don't you remember how you came to be ſo particular as to take upon you to ſay that theſe are the Cloaths that the Man wore at that Time?

Wright. The Man was in ſo great Confuſion that the Sweat run down his Face. He ſeem'd in the greateſt Agony and Confuſion whatever.

Q. Sir, had you a Suſpicion that the Man was doing any Thing wrong?

Wright. No, Sir; but I ſaw the Man in ſuch a Confuſion, that I took particular Notice of him. The Man had a whitiſh Coat, and the Wig as Mr. *Holland* has now.

Council. So the only Reaſon you judge them to be the ſame Cloaths, is becauſe he had a white Coat and Wig?

Wright. I ſaw them upon Mr. *Holland*'s Back four or five Days after. Mr. *Holland* call'd to aſk me if I could take it upon me to ſay that he was the Man that I married?

Council. Sir, was you before Sir *Thomas De Veil?* Did you not declare before the Juſtice that you did not remember the Man nor Woman? Did you at that Time ſay that you knew the Man at all?

Wright. I gave a Deſcription of the Man as well as I could?

Stephen Hall. I am Deputy Clerk of St. *Andrew's Holbourn*. The Man is the ſame.

Q. Is the Woman the ſame?

Hall. I can't poſitively ſwear to her; I verily believe it to be the Woman, but ſhe had a large Bonnet on; I think that is the Woman that I gave away the 15th of *July*; but I have brought the Regiſter-Book.

Q. Did you ſee any Thing of a Licence produced?

Hall. The Man brought a Licence, the Miniſter has it, which is now in Court.

Q. Was you preſent all the Time of the Ceremony? Were they actually married together, thoſe two Perſons?

Hall. That Man *(Taylor)* was, and I verily believe it to be the Woman. They were married by the Names of *Mary Robinſon* and *George Taylor*, which I thought ſomething odd, the Woman's Name to be before the Man: The Entry is, *July* 18, 1746. *Mary Robinſon*, Widow, and *Richard Holland*, Batchelor, of *Hornſey*.

Q. Who made that Entry?

Hall. Sir, I make theſe Entries myſelf.

Q. As

The Remainder of this Trial, with ſeveral other remarkable ones, will be publiſhed in our next.

THE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery

FOR THE

CITY of *LONDON*,

And alſo the Gaol Delivery for the

COUNTY of *MIDDLESEX*,

Held at *Juſtice-Hall* in the *Old Baily*,

On WEDNESDAY the 15th, THURSDAY the 16th, and FRIDAY the 17th of *October*,

In the 20th Year of his MAJESTY's Reign.

BEING THE

Eighth SESSIONS in the MAYORALTY

OF THE

Right Honble Sir *Richard Hoare*, Knt.

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VIII. PART II.

LONDON:

Sold by C. NUTT, at the *Royal-Exchange*, and at all the Pamphlet-Shops of *London* and *Weſtminſter*. 1746.

THE PROCEEDINGS ON THE King's Commiſſion of the Peace, Oyer and Terminer, and Gaol Delivery held for the City of *London, &c.*

Q. AS to this Woman at the Bar, did you not ſay ſomething more poſitive of her before Sir *Thomas De Veil?*

Hall. No, I ſaid I believ'd her verily to be the Perſon.

Q. How was ſhe dreſs'd?

Hall. In a white Sattin Gown, with a large Bonnet over her Face.

Q. (to John Lamb) What do you know of this Matter?

Lamb. On the 18th of *July*, between the Hours of Eleven and Twelve, I went into the Church, and went down juſt as they were going to the Altar; and I ſtaid all the Time there while they were married. And as to the Priſoner at the Bar, I can ſafely take an Affidavit to the Man; as to the Woman, I believe her to be the Woman; but ſhe had an extraordinary large black Bonnet on, that I could not ſee Part of her Face: As to the Man, he had ſuch a large white Coat, that you might almoſt put a little Boy in it; you might button it Half a Yard over.

Q. By what Name did he go?

Hall. He went then by the Name of *Richard Holland*, of *Hornſey*.

Q. Did he ſay, at the Performance of the Ceremony, I *Richard Holland, &c.*

Hall. Sir, I can't ſay I was ſo near as to hear it.

Q. (to Mary Price) Do you belong to *St. Andrew's* Church in *Holbourn?*

Price. Yes, Sir.

Q. Was you at the Church upon the 18th of *July*, when there was a Marriage there?

Price. Yes, Sir.

Court. Look at the two People at the Bar, and tell us whether thoſe two were the People that were married.

Price. Mr. *Taylor* was the Man, and I believe Mrs. *Robinſon* was the Woman: The Woman was dreſs'd in a white Sattin Gown, and ſhe had a black Bonnet over her Face.

Q. What Name was he married by?

Price. He was married by the Name of *Richard Holland.*

Q. (to Philip Moor) What are you?

Moor. I am Clerk to Mr. *Ruſhworth*, of *Doctors-Commons.* On the 18th of *July*, between the Hours of Nine and Twelve, *George Taylor*, the Priſoner at the Bar, came to Mr. *Ruſhworth's* Office, and aſk'd if he might have a Licence there; I aſk'd him if it was for himſelf; he ſaid, No; I ſaid, One of the Parties muſt come; upon that he return'd. Accordingly Mrs. *Robinſon* came; ſhe was ſhewn into the Office, and *George Taylor* went away, and left her there. Mr. *Ruſhworth* came down Stairs, and took her up into his Office.

Q. What did you ſee this Woman do?

Moor. Sir, I ſaw her do no particular Act, but only came for a Licence.

Q. What did ſhe ſay?

Moor. I did not hear her ſay any thing particular.

Q. Do you believe that to be the Licence?

Moor. I believe ſo; but I did not ſee the Inſide of it.

Q. Did ſhe ſubſcribe an Affidavit?

Moor. Not in my Preſence.

Council.

Council. How came you to be ſo poſitive to this Gentlewoman; did you ever ſee her before?

Moor. No, Sir.

Council. I ſuppoſe you don't remember all the Perſons that come to your Houſe for Licences. If her Face was cover'd with this Bonnet, my Lad, how came you to be ſo particular as to her Face.

Moor. It's a Thing that ſeldom happens, for a Woman to a apply for a Licence.

Council. So then, when a Woman applies for a Licence, you more particularly remark her. Had you met this Woman afterwards in the Street, ſhould you have known her?

Moor. Yes; becauſe, I believe I have ſeen her before, a conſiderable Time before ſhe liv'd in that Neighbourhood.

Council. Juſt now, if I underſtood you, you ſaid you had not ſeen her before: If you had been accidentally in her Company, ſhould you have remark'd that ſhe was the ſame Woman, if you had had no particular Cauſe to have taken Notice of her?

Moor. I don't know whether I ſhould or no.

Council. My Lad, I would aſk you, How long was it before any body came to aſk you any thing with relation to that Woman?

Moor. About nine or ten Days.

Council. Who was the Perſon that apply'd to you?

Moor. One Mr. *Goſling*, a Proctor in the *Commons*.

Council. Did you then preſently recollect the Circumſtances of that Woman.

Moor. When they told me of the Licence, I recollected then.

Council. When you was firſt apply'd to, did you, or did you not recollect the Perſon of the Woman?

Moor. The Queſtion that was put to me was, Whether I did not remember there was ſuch a Licence? but I could not, at that Inſtant, recollect that ſhe was the Woman, 'till they told me Circumſtances more particular.

Q. Now, before you recollected that ſhe was the Perſon of the Woman, did any body remind you of any particular Circumſtance to put it into your Memory? The firſt Time you ſaw her, did you recollect her?

Moor. Yes.

Council. This Mrs. *Robinſon* is a pretty tall Woman; therefore, though ſhe had a Bonnet upon her Head, you might ſee her Face much eaſier than another Perſon, as you are ſuch a ſhort Man.

Moor. Yes.

Council. Then you were very curious, my Lad, and peep'd very earneſtly at it; then it pleas'd you very much.

Q. (*to Henry Simons*) What are you?

Simons. A Porter; I ply at the *Sun Tavern* in *St. Paul's Church-Yard.*

Q. Do you remember this Woman, Mrs. *Robinſon*, being at the *Sun Tavern* the 18th of *July*?

Simons. I have no Knowledge of the Woman at all.

Q. Did any body ſend you to fetch Mr. *Taylor*?

Simons. There was a Woman ſent me for the Man that is at the Bar, to the *Eaſt-India* Warehouſe in *Fenchurch-Street*; it was in *July*, but what Day of the Month I can't tell.

Q. Did you bring that Man?

Simon. He did not come with me, but he came about a Quarter of an Hour afterwards, and aſk'd me where the Woman was. He was in a dark-colour'd Coat.

Q. (*to John Loe*) What are you?

Loe. I am a Drawer.

Q. Do you remember *Robinſon*, the Priſoner at the Bar?

Loe. Yes, Sir, ſhe liv'd in the Neighbourhood before; I don't know any thing but of her ſending the Porter for *John Taylor*.

Q. Did you know the Woman before?

Loe. Yes, Sir; I knew Mrs. *Robinſon* a long Time before ſhe liv'd in the Neighbourhood.

Q. When *Taylor* came, do you remember Mrs. *Robinſon*'s and his going out together?

Loe. No, Sir, I don't remember that.

Q. (*to Thomas Howard*) Did any body, upon the 17th of *July*, order you to carry a Box from Mr. *Holland*'s Houſe in *Hornſey*, to Town?

Howard. Yes, Sir; Mrs. *Robinſon*, at the Bar, ſhe order'd me to bring the Box to Town, and to leave it at the Stable where her Maſter puts up his Horſes.

Q. What's the Name of the People?

Howard. Caſker.

Q. (*to* ——— *Caſker*) Do you remember a Box brought to your Inn the 18th of *July* laſt? Do you know *George Taylor*?

Caſker. That Man, the Priſoner, came for the Box: Mrs. *Robinſon* came early in the Morning and told me the Man would call for it; the Priſoner came in the Morning to take it away; and in the Afternoon he brought it again. Mrs. *Robinſon* came in the Afternoon to know if the Box was brought; I ſaid, Yes; then ſhe ſaid, Send it to Mr. *Holland*'s in *Newgate-Street*.

Q. Do

Q. Do you know what was in the Box?

Casker. No, Sir, I cannot tell.

Q. (*to Robert Montgomery*) Do you know the Prisoner? Have you seen her write?

Montgomery. Yes, my Lord, several Times.

Q. Is that her Writing?

Montgomery. Yes, my Lord, I believe it is her Writing.

Q. (*to Miles Parker*) Do you know these two Persons at the Bar?

Parker. I know the Gentlewoman, not by Name, but by Sight, for many Years ago.

Q. Do you remember her being at the *King's-Head Tavern* the 18th of *July?*

Parker. I remember she was there, (but I can't remember the Time) and I think that Man, the Prisoner, was with her about Ten o'Clock.

Q. How were they dress'd?

Parker. She was dress'd in white Sattin and a Bonnet; she staid there and drink'd a Pint of Wine herself, before that Gentleman came. He went out, and came in again; when he came in again he came in a light-colour'd Coat and a light Wig, and he wanted the Wig comb'd; he said, You need not carry it to the Barber's; Can't you comb it yourself; so I comb'd it.

Q. What did they do there?

Parker. They din'd there.

Q. What had they for Dinner?

Parker. To the best of my Remembrance, they had an Artichoke and a cold Lobster.

Council. Please your Lordship, and Gentleman of the Jury, I am Council in this Cause, for Mrs. *Robinson*; against whom there is an Indictment for Conspiracy, &c. And the Gentlemen are extremely sensible, I find, on the other Side, if they had laid this Fact without coupling it with a Conspiracy, that it would not have been at all criminal. Our Common Law don't hinder any People from marrying together by any Name they please; therefore, this Conspiracy only must appear to you to be some Injury to some Person or another, and particularly this Gentleman, who says he is so injur'd. I shall heartily agree with the Doctrine that has been advanced by the Gentlemen on the other Side, with regard to this Conspiracy; but that Intent ought to be made plain; which must naturally arise from the Fact itself, and not by way of Supposition; for 'tis Conspiracy only, as I apprehend, will make it criminal. I should be sorry to advance Doctrines not establish'd by the Law Common, or by Statutes. I never heard, that particular Persons may not marry by whatsoever Name they please. Supposing People were got in Debt, and it was improper to go by their own Names, and they thought proper to marry by a fictitious Name, and this Name happens to tally with the Name of some Man or Woman; they may imagine they are injur'd: By what Law is any Man injur'd by it? If they could make out that there has been a Combination on purpose to affect the Estate of a third Person, or on purpose to claim that Estate in their Lifetime; then it would have amounted to a Combination together; it would have amounted to a Conspiracy, to injure a third Person: But, is there any thing like it? Was there any Discourse upon it? What they might have in their Heads, God knows! I never knew any human Judicature could reach the Thoughts or Intentions, 'till Facts were made plain and clear.

As in the Case of the Lottery Ticket, that was argued in this Place some time ago: Any Person living might take it and cut it to Pieces, and make what Alterations he pleas'd, provided he did it without any Intention to defraud any Person.

My Lord, this is a Precedent of the most dangerous Consequence; and 'tis stretching the Law upon the suppos'd Fancy of an Indictment-Drawer, beyond whatever was known: If this was to prevail, I could mention an hundred Illconveniencies Persons might be brought into.

Suppose a Person comes into a Room, and there should happen to be a Parcel of Ladies, and he blows out the Candle; Oh! this is a Rogue, and he intends some Attack upon their Virtue: If a covetous Man; oh, this is a Rogue; he could blow the Candle out with no other Intention but to pick these Ladies Pockets; and all upon a Supposition; whether the Man ever touch'd one of the Women, or ever attempted to pick a Pocket. So the Drawer of the Indictment is to fancy that this is a criminal Thing, tho' no Fact was ever done. I should agree with you, if she had come and said she was actually married, and had declared her Intention, or had she claim'd any Benefit; but to say, 'till that is done, what I had in my Head, you must take upon yourself that Judgment which the Almighty only can, who knows Thoughts; though this might be a Frolick better let alone: But should not a Woman get her a Husband if she can, and the Man get him a Wife; Marriage is honourable in all; and I could wish People would marry one with another and live such Lives as they should do; the contrary is Batchelor's Doctrine. I never heard Marriage should be call'd Conspiracy, because I have a Mind to marry a Woman by a Name not her own; perhaps it might

be

be ſome private End of their own, which the World might not know; perhaps there was an Eſtate depending upon it. I'll imagine there was as well as they: Suppoſe ſhe ſhould have married a Perſon by another Name; it might be becauſe ſhe would not be deſpiſed by her Relations, or in Order to paſs well in the World. We are bound never to believe Iniquity unleſs it appears.

My Lord there is a great Streſs laid upon this Habit, this Dreſs of the Lady's; ſhe was dreſſed in Sattin, ſays the Gentleman, a pure white innocent Sattin; a very proper Dreſs for a Bride. He would conclude from thence, that ſhe was the Perſon actually married at this Time: There is no poſitive Evidence ſhe was married, 'tis only grounded on Suppoſition. She was dreſſed in a black Bonnet. That is not concluſive Evidence; a Hundred Ladies may wear white Sattin and have black Bonnets, and the ſame Day one of theſe Ladies might be married; and yet a young Gentleman, ſays he, looked at her very narrowly and could ſee her Face. It was a wonderful Thing; I think it a great Difficulty to diſtinguiſh one Woman from another when muffled up; therefore it was no Wonder if this young Spark might be deceiv'd, as his Curioſity was only led by the Size of this Bonnet. Why, Gentlemen, is ſo great a Streſs to be laid on this Habit becauſe it was white Sattin? That might be emblematical of Innocence; there is ſomething of a particular Softneſs in the Colour, more agreeable to the Touch than rougher wrought Silk, therefore very proper for a Bride; and I believe 'tis their common Dreſs: Therefore becauſe it was white Sattin, and a Woman had it on, they conclude this muſt be the Woman.

My Lord they have gone through a Train of Evidences; but let us ſee whether this will amount to Evidence. They give you a Narrative of their meeting at the Stable, there was a Box brought, *&c.* Here's a Gentleman that fills up Mr. *Holland*'s Coat compleatly, but this Man could not fill it up; which Way was that perſonating him? for my Part, I am at a Loſs to know; I ſhould rather think that their Intention was entirely otherwiſe; or he would have had a Coat that ſhould have fitted him better. What ſay they then, that there came a Box to *Casker*'s, and then ſent to Mr. *Holland*'s: Gentlemen, how can you tell but theſe Clothes might be ſent to the Gentlewoman to get her a Huſband. I am told ſhe was not actually a Servant, but came there with the Eſteem and Approbation of Miſs *Andrews*, ſhe having had the Tuition of her. If Mr. *Holland* had a Mind for a Perſon that was agreeable to him, the Clothes might be taken by his Approbation; I have known frequent Inſtances of Clothes being given, and ſometimes lent by Maſters. Why therefore is this ſuch a mighty Matter, that a Suit of Clothes ſhould go out of the Houſe? How does this manifeſt an Intention to do him any Wrong? If I have another Man's Suit of Clothes and am married in them, muſt it be inferr'd from thence that I intended to get his Eſtate? They might alſo have ſaid I intended to rob him, or cut his Throat. I cannot, my Lord, for my Heart, conceive why this Perſon is to claim this Gentleman in his Life-time; it could not be prov'd, ſhe never did it, or ſaid ſhe was the Wife of Mr. *Holland*; and why ſhould they ſay it was to affect him after his Death? This is ſaying a Thing that I might never have had in my Head; this Intention ought to have been manifeſted by ſome overt open Acts done; as if a Man ſhoots off a Gun into a Place where there are an hundred People walking; there he is doing an unlawful Thing, where the People are in the utmoſt Danger; but is marrying in itſelf, by another Name, an unlawful Thing? Is marrying in another Man's Clothes unlawful; I never heard of it; nor I hope there never will be any ſuch Law. I ſhall ſay but one Word more in Favour of my Client, which I hope will be ſufficient to conclude this Matter: Suppoſing, for Inſtance, that ſhe had private Reaſons of her own for obtaining a Huſband in ſome Shape or another. I will ſuppoſe now, if we are to go upon Suppoſitions, that ſhe had done ſomething or another that was improper, that ſhe wanted a Huſband, and ſhe had a Mind to conceal his Name; ſuppoſe ſhe had a Huſband to ſcreen her from Debt, and ſo married him by another Name; every Creditor of her's might ſay, that ſhe conſpired to marry that Man in order to cheat them of their Debts.

Council. I am Council of the ſame Side, Pleaſe your Lordſhip, and you Gentlemen of the Jury, to favour me with a few Words: I beg Leave humbly, in the firſt Place, to ſay, if they were married, as the other Side inſiſt upon, then an Indictment for Conſpiracy muſt lie againſt Huſband and Wife; in the next Place I ſhall ſhew, that there is no ſufficient Proof of the Fact: Then again I would obſerve, that an Indictment for Conſpiracy againſt Huſband and Wife cannot ſtand; and if your Lordſhip ſhould be of Opinion with that Part of the Indictment; yet, as 'tis laid, I apprehend the Gentlemen have fail'd in Point of Proof; they have proved no Conſpiracy at all; as to injuring the Perſon of Mr. *Holland*, I apprehend nothing of

that Kind has been proved; and as to an Injury of his Eſtate, Goods or Chattels, I apprehend nothing has been prov'd, nor againſt himſelf, his Adminiſtrators, Heirs, Executors, &c. A Conſpiracy, in its Nature, muſt be to do an Injury to a Third, in regard to his Perſon or Eſtate. Gentlemen, as to the Fact, where a Perſon is to be convicted as a Criminal; where a Perſon is ſubjected to a Fine or Impriſonment, there ought to be the cleareſt Proof in the World. As to the Marriage, I don't apprehend any one Perſon has been capable to prove the Fact, as to the Identity of the Woman; that is the Fact that you are to try: If there is no Evidence of it, in all Caſes of criminal Proſecutions, we are to incline to the favourable Side, which is Mercy. As there has been no Injury done to the Perſon of Mr. *Holland*, ſo I apprehend any two Perſons may marry, in any Name whatever, without a Crime; or, if it is a Crime, not puniſhable by an Indictment. If there had been any Claims on Mr. *Holland*'s Goods or Effects, that might have been Evidence of Intention and Conſpiracy; but as nothing of that has been prov'd, ſo it can't be proved any Injury to him: Perſons may have particular Ends to themſelves in marrying in what Name they think fit; 'tis not that which conſtitutes the Offence; but it muſt be done with a Deſign to prejudice Mr. *Holland*; and as he has ſhew'd nothing of that Sort, no Injury can be done to him or his Succeſſors; therefore they have fail'd in this Point.

Mary Robinſon. My Lord, I humbly beg this Favour, though they prove my Dreſs, that you would aſk Mr. *Holland* whether it was not my every Day's Dreſs; and I don't know, at this Time, whether I had it on or not: Mr. *Holland* invited me as a Companion to himſelf; and I have it under his Hand that I was not his Servant. *Mary Robinſon* and *George Taylor* Guilty of Conſpiracy.

[Mr. *Holland* recommended *Taylor* to the Favour of the Court, as believing him to be drawn in by the Woman.]

The Judgment of the Court upon *Mary Robinſon* was as follows, That you be impriſon'd for the Space of two Years in the Gaol of *Newgate*; and after the Expiration of that Time to give Security of 500 l. and pay a Fine of five Marks.

As to you, *George Taylor*, the Sentence that the Court thinks proper to pronounce upon you is, that you be impriſon'd for ſix Months in the *Poultry-Compter*; that you give Security yourſelf in the Sum of 40 l. and two Securities in 40l. each, and pay a Fine of five Marks.

After Judgment was paſſed *Mary Robinſon* produced a Paper to prove that ſhe was not with Mr. *Holland* as a Servant; but it was not read; ſhe alſo petition'd the Court for Leave to be remov'd from *Newgate*, either to the *Poultry-Compter* or the *Fleet-Priſon*, alledging, that ſhe had been ill, and *Newgate* was too cloſe for her; but it was denied.

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355. **Robert Fitzgerald** was indicted for counterfeiting a Bill of Exchange for the Sum of 21 l. 15 s. drawn upon Mr. *Albert Nesbit* and Company, of *Coleman-Street*, payable to Capt. *John Hancock*, or uttering the ſame, knowing it to be forg'd, with an Intent to defraud the aboveſaid *Neſbit* and Company.

Council. This Indictment ſets forth, that *Robert Fitzgerald*, wickedly, unlawfully and felonioufly, did forge and counterfeit a Bill of Exchange for 21 l. 15 s. payable to Capt. *John Hancock:* This is laid to deceive *Albert Neſbit* and Company.

Council. I am Council of the ſame Side in ſupport of this Proſecution; you will obſerve, Gentlemen, it is a Proſecution founded on an Act of Parliament made in the ſecond Year of his preſent Majeſty's Reign; 'tis laid upon this Act of Parliament, which has been found a moſt neceſſary Law, a Law calculated for the Benefit of Trade; and 'tis a little ſurprizing that our Anceſtors, who were very wiſe, ſhould not have thought of ſuch a Law, which is calculated for the Conviction and Puniſhment of ſo great a Crime as Forgery.

On the 6th of *September* laſt, about Seven o'Clock in the Evening, the Priſoner came to this Part of the Town, towards the *Old Baily*, and call'd for a Porter; a Porter anſwer'd immediately. I am a Stranger here in Town, ſays he; Which is the neareſt Way to *Coleman-Street?* I muſt get you to ſhew it me: But juſt as they were about *Bow* Church, ſays he, I want to go to *Bloſſoms Inn*; is that far out of the Way? No, ſays the Porter; then ſhew me there. Then, ſaid he to the Porter, I want you to carry a Bill to one Mr. *Neſbit*'s in *Coleman-Street*, and come back to me at the Inn; if you ſhould not find me there, then you will find me here at Nine o'Clock in the Morning. When the Porter gave the Bill to Mr. *Nesbit*, he told him it was a good Bill, and he ſhould call To-morrow Morning. As he was coming back to find the Priſoner, he heard ſome body call Porter; there the Priſoner lay conceal'd in *Lawrence-Lane*, he did not care to be at the Inn; for if the Bill had appear'd

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to be bad, he thought a Conſtable might come. Well, ſays he, what have you done about the Bill? why they ſay 'tis a good Bill, ſo I left it: The Priſoner ſaid, very well. Mr. *Nesbit* looking narrowly into it concluded it was a Forgery; he ſaid, this is not Mr. *Barton*'s Hand, nor is it after the Manner they draw their Bills; for they are on Copper-Plate and in *French*. When another Porter came the next Day they got a Conſtable and laid hold of him, and aſk'd him where he had the Bill; he ſaid he had it from a Gentleman in *Whitechapel*, who was then waiting for him: Mr. *Nesbit*'s Porter and the Conſtable went to the Place and met with him: They carry'd him before the Lord Mayor, where he gave but a very ſlender Account of it: They aſk'd him where he had the Bill; he ſaid he had it of one *Johnſon*, and that he gave him Money for it; but could not tell any thing about *Johnſon*, nor where he liv'd. Gentlemen, I am afraid it will be brought very home; we ſhall call our Witneſſes, and we don't doubt but you will act the Part of honeſt Men.

Council. I am Council on the ſame Side. You will obſerve this Indictment charges the Priſoner at the Bar with a Crime of a very heinous Nature, no leſs than Forgery, and of a Species of Forgery that is very pernicious.

Gentlemen, there is one Difficulty which is a Misfortune to the Publick; that it is extreamly difficult to convict Offenders by poſitive Proof; Crimes of this Nature are generally tranſacted in the Dark: What we are to lay before you, and the only Evidence that can be brought, are the Circumſtances and Manner of tranſacting this Bill of Exchange. Gentlemen, the Priſoner at the Bar is no Stranger; he is a Perſon that has liv'd in the Compting-Houſe of a great Merchant in this City, Mr. *Dillon*; but when he enter'd upon this Scene of Action, and diſcover'd himſelf in this Part of the Town, he told the Porter that he was an entire Stranger, deſir'd to know which was *Coleman-Street*; and not ſatisfied with his telling him the Way, deſir'd he would go with him: When he came into *Cheapſide* he aſk'd if it was much out of the Way to go to *Bloſſom's Inn*; there he pull'd out the Bill and deſir'd him to go to Mr. *Nesbit*'s. The Porter ſhew'd it to one of the Mr. *Nesbit*'s, who juſt caſt his Eyes upon it and told him it was a good Bill. It ſeems the Priſoner at the Bar had directed him to come to him to the *Bloſſom's Inn*; the Porter returned thither and did not ſee him; but a Perſon at ſome Diſtance call'd out Porter, and he found the Priſoner at the Bar was behind; upon that he aſk'd what he had done, what Mr. *Nesbit* ſaid to the Bill; he anſwer'd, Mr. *Nesbit* ſaid it was a good Bill. I would obſerve to you, as I go along, that this ſeems to be an extraordinary Method of negociating a Bill of Exchange; it is uncommon for a Perſon to call a Porter in the Street, to ſend a mere Stranger with a Bill of Exchange to a Merchant. Would it not have been natural to have gone himſelf to Mr. *Neſbit*'s to have had this Bill of Exchange accepted, inſtead of loitering about *Bloſſom's Inn?* The next Day he thought proper to proceed in a different Manner; then the Scene of Action was open'd in *Whitechapel*; there he calls a Porter and ſends him for the Money, as ſuppoſing the Bill accepted: But I ſhould have told you, that Night, or the next Morning, Mr. *Nesbit* having an Opportunity to examine the Bill, found it was not one of thoſe he uſed to receive from *Barton* and Comp. it was different in the Hand-writing; and another Circumſtance, that Meſſ. *Barton* have for many Years had their Bills printed upon Copper-Plate, and fill'd up their Names and Sums in Writing; Mr. *Nesbit* obſerving all this to be written, concluded it was a falſe Bill, and order'd that the Perſon who ſhould call for it the next Morning might be ſecured. A Porter coming from *Whitechapel* for the Bill, Mr. *Nesbit*'s Servant immediately ſent for a Conſtable and ſecur'd him: Enquiry was then made who he was and from whence he came; he ſaid he was directed to come by a Perſon who was waiting for him at the *Fountain* Alehouſe; they went thither in ſearch of him, but he had left that Houſe and was found loitering in the Street: Seeing the Porter he went up to him and aſk'd him what he had done with the Bill; the Fellow call'd him Rogue, and told him that he had like to have drawn him into a Scrape, for it was a forged Bill: The Conſtable being near at hand ſeiz'd him and carry'd him before the Lord Mayor; when before his Lordſhip he ſaid he gave a valuable Conſideration for it to one *Johnſon*; but I think at laſt he confeſs'd that he knew nothing of *Johnſon*; whereupon he was committed to the *Compter*, from whence he attempted to eſcape in Women's Clothes, but was prevented by the Vigilance of the Keeper.

There is another Circumſtance: He wanted to ſuborn one of the Porters to ſwear falſly; he deſir'd him to ſay, if he was aſk'd where he had the Bill of Exchange, that he had it in St. *Paul's Church-Yard*; which is a Circumſtance directly contrary to Truth, and if *Wells* had ſwore that, he would have been guilty of Perjury. Theſe are the Circumſtances; if we prove them to your Satisfaction, it will

will be impoſſible for you to think any otherwiſe than that this was a falſe Bill of Exchange. We ſhall call our Witneſſes.

Q. (*to Chriſtopher Wells.*) Do you know that Perſon, the Priſoner?

Wells. I can't ſwear I do know him; I have ſeen him twice.

Council. Tell us upon what Occaſion; when did you ſee the Priſoner?

Wells. I never ſaw him before that Night.

Q. What are you?

Wells. I am a Ticket Porter.

Council. Give an Account when you firſt ſaw him.

Wells. It was when he came to me and call'd out Porter; it was the Corner of the *Old Baily*.

Q. What Month was it?

Wells. I can't tell.

Q. What did he ſay to you?

Wells. He ſaid, Sir, he aſk'd me whether I knew *Coleman-Street*; then he ſaid, will you be ſo good as to ſhew me the Way; ſtep along Porter.

Q. Which Way did you go?

Wells. Under *Newgate* and down *Cheapſide*.

Q. What did he ſay to you as you were going down *Cheapſide?*

Wells. He aſk'd me if I knew *Moorgate* Coffee-Houſe, and he ask'd if I knew *Bloſſom's Inn*.

Q. What did he ſay to you then?

Wells. He ſaid he had a Friend there. I muſt tell the Whole; I went to *Bloſſom's Inn* in *Lawrence-Lane*, then I went to eaſe myſelf.

Council. What is that to the Purpoſe. Did he go with you to *Bloſſom's Inn*.

Wells. When we were together in the Gate he gave me a Note, and ask'd me if I knew ſuch a Gentleman; but I have forgot it.

Council. Who gave you the Note? and what did he bid you do with it?

Wells. He ſaid, you may leave the Note if you will.

Council. Don't you remember the Gentleman's Name.

Wells. Sir, I do not.

Q. Whereabouts in *Coleman-Street* did that Gentleman live?

Wells. Sir, to the beſt of my Knowledge 'tis the ſecond Gateway beyond the Church.

Q. When you carry'd the Note there who did you ſee?

Wells. I ſaw three Gentlemen.

Q. Do you know any of them? Look upon thoſe Gentlemen.

Wells. Sir, I can't ſay; but I think that is one of them. [But that Gentleman was a Stranger.] When I went he bid me return to him at *Bloſſom's Inn*; and if he was not there then, I ſhould find him there at Nine o'Clock the next Morning. Before I got to *Bloſſom's Inn* the Gentleman was behind me, and call'd after me, Porter, Porter, what have you done with the Bill? I told him it was a good one.

Q. Did you ſee the Priſoner at any Time after this?

Wells. He ſent for me to the *Compter*; to the beſt of my Memory he order'd me to ſay that the Bill was given me in *Paul's* Church-Yard; that I muſt not ſay I was at *Bloſſom's Inn* with him.

Council. I would ask you if any Money was offer'd you?

Wells. He ſaid if I came To-morrow Morning he would give me a Crown to put in my Pocket; he thought that a Crown would be of Service to me.

Council for the Defendant. *Wells*, you could not recollect the People at Mr. *Nesbit's*, how came you to remember him more than them? Did you not ſay when you firſt went to the *Compter*, that it was another Man?

Wells. No, Sir; I ſaid I cannot ſwear that he is the Perſon.

Council. I ask you before the Court, whether he was the Man that gave you the Note, or the Man that gave you the Six-pence?

Wells. I will not ſwear to him; for I was in the Dark with him in the *Compter*.

Q. (*to Arnold Nesbit.*) Do you remember at any Time, and when this Bill was brought to you?

Neſbit. Sir, this Bill was brought me on *Tueſday* Night, the 16th of laſt Month.

Q. Is Mr. *Barton* your Correſpondent?

Neſbit. Yes, Sir; the Porter came for Acceptance, and I told him I believ'd it was a good Bill; that he ſhould call To-morrow, as is uſual in thoſe Caſes.

Q. Pray, Sir, What Porter brought you the Bill?

Neſbit. Sir, I can't ſwear to the Porter that came that Night; but this Man came to me about a Week after, and ſaid that he came from the Man in Priſon, and he offer'd him 6 d.

Q. Had you any Converſation with any Porter about bringing this Bill to you? You told this Porter that he brought the Bill. Did he tell you that he brought the Bill to you at firſt?

Neſbit

Neſbit. Yes, he ſaid he did bring the Bill: I told him it was a good Bill, and if they came the next Morning they ſhould have it accepted. When Bills are brought we never accept them the ſame Day, they always lie for us to examine by our Books.

Q. Pray how came your Brother ſo well acquainted with Mr. *Barton?*

Neſbit. My Brother lived ſeveral Years with Mr. *Barton*, who never draws a Bill without Advice; and it not being a Copper-Plate Bill, which is uſual, increaſed our Suſpicion; ſo I ſpoke to all the People of the Compting-Houſe, that whoever came for the Bill the next Morning ſhould be ſtopp'd; accordingly a Porter came for it, who ſaid he was ſent from *Whitechapel* for that Bill which was left upon the Desk; he told us that the Man he receiv'd it from was in *Whitechapel*; ſo we ſent for a Conſtable, *John Wild.*

Q. What Orders did you give the Conſtable?

Neſbit. I order'd the Conſtable to go with the Porter, and ſent my own Porter with them.

Council. I would ask you whether you afterwards ſaw him?

Neſbit. Yes, Sir; the Priſoner at the Bar ſent for me to a Publick-Houſe in *Coleman-Street.*

Q. What paſs'd upon that Occaſion?

Nesbit. He told me had liv'd with Mr. *Dillon*; that he had the Bill from another Perſon, and deſir'd the Favour I would not take any Notice of it.

Q. At what Place was this?

Nesbit. At the *Swan* in *Coleman-Street.*

Q. Who did he ſay that he had the Bill from?

Nesbit. I can't ſay.

Q. Did he then ſay he liv'd with Mr. *Dillon?*

Nesbit. That he then liv'd with Mr. *Dillon* he ſaid; that he had the Bill from a Perſon, but he did not ſay from whom; he was carried before my Lord Mayor.

Q. What paſs'd before my Lord Mayor? What Account did he give of himſelf?

Nesbit. I think he ſaid he was at an Alehouſe at *Temple-Bar*, with one *Johnſon*, and that he had the Bill of him; that he was a Seafaring Man, and that he had not ſeen him but twice before.

Q. Did he afterwards alter his Account of it?

Netbit. No, Sir, he ſaid he had paid Part of the Bill.

Council for the Defendant. Mr. *Nesbit*, Did you ever ſee Mr. *Barton* write?

Nesbit. I can't ſay I ever ſaw him write.

Council. He has a Son and a Partner, I ſuppoſe they ſometimes ſign; have you ever wrote over ſince?

Nesbit. I wrote the Poſt after, but we have not receiv'd an Anſwer; I believe we could not in Point of Time.

Q. (to Mr. Albers Nesbit) Did you ſee that Bill brought to your Compting-Houſe?

Nesbit. I took it up after it was left, and ſaid it was not Mr. *Barton*'s Hand.

Q. Did you take Notice of the Perſon that brought that Bill?

Nesbit. No, Sir, I did not.

Q. When you took up the Bill, did you ſay any Thing upon that Occaſion?

Nesbit. I ſaid it was a forged Bill, becauſe I liv'd ſo long with Mr. *Barton*, that I ſaw him write ſeveral Times, and I believ'd it was not ſigned by *William Barton*, or *Thomas Barton*; they generally draw their Bills in French, eſpecially ſince the War, and they are generally on Copper Plate Paper.

Q. When you was in *Bourdeaux* with them, did they generally draw upon Stamp Paper? Did you ever receive any drawn in a different Manner?

Nesbit. I don't remember.

Q. Have you any Bills upon other Paper at your Houſe?

Nesbit. Not ſince I came to *London.*

Q. How long have you been in *London?*

Nesbit. About a Year.

Q. (to James Whiteing) Do you recollect whether at any Time you was ſent to *Coleman-Street* with a Bill?

Whiteing. Yes, I know it as well as any can know it.

Council. Now give an Account at what Time you ſaw him.

Whiteing. Laſt *Wedneſday* was three Weeks, he (the Priſoner) came to me to the Stand where I ply. The Priſoner came to me about Three o'Clock; he ſaid Porter, follow me; he carried me into *Somerſet-Street, Whitechapel*; he ſaid will you go on an Errand for me into *Coleman-Street*; I ſaid, yes; ſo then, ſaid he, do you know Mr. *Nesbit's* in *Coleman Street*, I ſaid no, but I can find him out if 'tis any Body of Note; he ſaid you muſt go to Mr. *Nesbit*'s for a Bill that lies upon the Deſk.

Q. Did you go to Mr. *Nesbit*'s?

Whiteing. Yes, as ſoon as I came to Mr. *Nesbit's*, I gave him the Note I had; when I gave it to him, a ſhort Man, Mr. *Nesbit*'s Clerk, was holding a Carpenter's Board; while he was putting it up, he ſaid Friend ſit down; I was very uneaſy at ſtaying; however, I ſat down about a Quarter of an Hour, then in comes Mr. *Arnold Nesbit*; he ſaid, where's

this Man? I expecting my Bill, Mr. *Nesbit* ſaid to the Officer, Friend, there's your Priſoner; I ſaid Priſoner, what do you mean? I ſaid Sir, I can't think what you mean? he ſaid I had forged a Bill; I ſaid you might as well ſay I built St. *Paul's*; you muſt go to *Newgate*; I ſaid I could not make a Letter; I ſaid, firſt let me go and find the Man, and when I come almoſt to the Place the Officer and the Porter ſhall leave me; as I find 'tis a Cheat, the Man will never come after me.

Q. Where did the Priſoner appoint you to come to him?

Whiteing. To *Somerſet-Street* at the *Fountain*. When we came to *Aldgate*, then the Conſtable ſtay'd behind; the Officer went down by the Butchers, and the Porter was near the Bars; I ran hard with my Hands in my Pocket to the *Fountain*, and aſked for a Man that I deſcribed as well as I could, but he was not there: Then I turned out of the Houſe, Lord what ſhall I do? I clapped my Hands together, I am ruin'd, I am ruin'd, Horſe and Foot. When I was running up to the Officer, the Priſoner came out of the Alehouſe, and met me in the ſame Street, oppoſite *Somerſet-Street*; when I ſaw him I was as much rejoiced to ſee him as he was to ſee me; I ſuppoſe he thought I had got the Prize. When I ſaw him, I laid Hold of him, and ſaid you Son of a B——h, I have caught you; he ſaid, what's the Matter? I ſaid, G—d R—t you, you had like to have ſent me to *Newgate* for nothing; ſays the Priſoner, *Newgate*, for what? You Son of a B——h, you have forg'd a Note.

Q. What ſaid he upon that?

Whiteiag. He ſaid huſh, I would not have my Character ſtain'd for ever ſo much; I ſaid, R—t you and your Character too.

Q. What then?

Whiteing. Then I call'd out Officer, Officer, and the Officer run, and the Porter run, and we brought him away.

Q. Now to what Place did you bring him?

Whiteing. He wanted a Coach, but the Officer would not let him have a Coach.

Q. To what Place did you carry him?

Whiteing. He deſir'd to go the back Way, and we did. When we came into *Coleman-Street*, he ſaid he would not go into Mr. *Nesbit's*, where he was known, for ever ſo much. We had him to the *Swan* I think in *Coleman-Street*, and Mr. *Arnold Nesbit* was ſent for, and he came there; what paſs'd then I can't tell, I came out.

Q. Who was the Man that took the Priſoner by the Breaſt?

Whiteing. Myſelf, I took the Priſoner; I have Occaſion to know him, for he has been in my Thoughts Night and Day.

Q. (to John Wild, Conſtable) Was you ſent with that Porter that was laſt examin'd, by *Arnold Nesbit?*

Wild. Mr. *Nesbit's* Footman came and aſk'd for me; I was at home; he told me I muſt come up to Mr. *Nesbit*, and bring my Staff; I begged he would ſtep to a Neighbour that was a Conſtable, but he was not at home; ſo I went, and when I came he charg'd me with this Man; ſaid he muſt go to *Newgate*; the Porter was ſurpriz'd at firſt; Soon after he laughed, and ſaid, I forged a Note, I can hardly write a Letter! but he ſaid he would endeavour to find the Man. Mr. *Nesbit* gave me an Order, if I did not find the Priſoner, I muſt ſecure him. I thought it was reaſonable, what he (the Porter) ſaid to us of going two and two; accordingly, the Fellow went into the Houſe, and came out again ſurpriz'd; ſays he, he is not there, *&c.* The Word was hardly out of his Mouth, but the Priſoner came up to him; he laid hold of him, and ſaid D——n you, I have got you. The Priſoner ſeem'd ſurpriz'd, ſo we took him juſt by the Bars: He begged for Jeſus's Sake he might not be expoſed, for he was of a very good Family.

Q. I would aſk you, was there any Diſcourſe about forging a Bill?

Wild. I told him he was charg'd with forging a Bill.

Q. Did he pretend to ſay that he had not ſent the Porter for the Bill?

Wild. He ſaid he could ſoon clear that up, for he had it of one *Johnſon*, ſo he pray'd of me that I would not expoſe him, but take him in a Coach; I did not know whether he would pay for it: I told him I would take him as private a Way as I could. When I came into *Moorfields*, he begg'd I would go into ſome Houſe, and ſaid that he would rather go to Hell, than to go to Mr. *Nesbit's* Compting-Houſe, for there was not a Man there but knew him. I did not care to go into a Tavern, ſo I went into a little Alehouſe, and ſent to Mr. *Nesbit* to know if he would come there, or elſe I would bring him to his Houſe. When I ſent to Mr. *Nesbit*, he was at Dinner, and ſaid he would come after he had din'd. When Mr. *Nesbit* came, he behav'd exceedingly ſubmiſſive; he begg'd for Jeſus's Sake, for the Lord's Sake, he walk'd upon his Knees, he would not get up, and pray'd for Jeſus's Sake that he would be favourable to him. Mr. *Nesbit* ſaid, very likely he ſhould; he would conſult his Attorney, and if it was neceſſary, it ſhould be ſo.

Q. (to

Q. (*to Nathaniel Crompton*) Do yon remember at any Time the Priſoner's endeavouring to make his Eſcape out of the *Compter*?

Crompton. Yes, Sir, on *Monday* the 6th of *October*, in the Evening, between Six and Seven; he came to the Gate, and I obſerv'd I had let in no Body in ſuch Cloaths; he came to the Gate in Women's Cloaths. When I had let him out, I obſerv'd it was a Man's Face, with that I ſtopped him; he was diſguis'd with Paint. When I had let him out, I lay'd faſt Hold of him by the Wriſt: He offered me Money, I told him no Money ſhould ſatisfy me, but he ſhould go in again. I ſent to my Miſtreſs to have him taken Care of, and told him he ſhould not go away to be undreſs'd 'till Mr. *Levi* came home.

Q. (*to the Priſoner*) You have heard what has been ſworn againſt you to ſupport the Proſecution, what have you to ſay for yourſelf?

Priſoner. This Bill, my Lord, I got from a Man call'd *Johnſon*; he told me he had it from *Briſtol*. He ſaid he was quite unacquainted with what could be done with the Bill, and as it was my Buſineſs, he deſir'd that I would get it accepted for him; he had it from *Briſtol*: He ſaid he had two other Bills; he ſaid he had it from one Mr. *Lerocb*, of *Briſtol*, and deſired I would do what was neceſſary about the Bill; this was on *Tueſday* Evening. I told him I thought it proper to ſend to Mr. *Nesbit*'s, to know if it was good; then he took the Bill in his Hand, and ſaid it was very well.

[The Subſtance of the Priſoner's Defence was this; that his Friend, *Johnſon*, and him, were walking down *Cheapſide*, and then turned into *Lawrence Lane*; and *Johnſon* ſent the firſt Porter to Mr. *Nesbit*'s, but that he ſent the other Porter from *Whitechapel*, by the Advice and Direction of *Johnſon*.]

Guilty of uttering the Note, knowing it to be forged, but not Guilty of the Forgery. **Death.**

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356. **Philip Jewel** was indicted for ſtealing one Quart Silver Tankard, Value 5 l. 5 s. and one Silver Cup, Value 4 l. 10 s. the Goods of *Robert Hill*, of *Swithins-Lane*.

Q. (*to Robert Hill*) Have you loſt any Thing lately?

Hill. Yes, my Lord, I loſt a Silver Tankard, and a Silver Cup, that holds almoſt a Quart.

Q. What was the Value of the Tankard?

Hill. I reckon'd it about 5 l. 10 s. and the Cup 4 l. 10 s.

Q. Where did you loſe them from?

Hill. I loſt them out of the End of the Grate; they unwired about five of the Wires that binds the Grate round by the other main Wires to keep them together.

Q. How do you know that they did this?

Hill. I can't ſay that I ſaw them; I had good Cuſtomers in the Shop at the ſame Time, that I can't ſay that I ſaw them.

Q. What Time of the Day was this?

Hill. A little before Twelve at Noon; the two Fellows that ſtole them were taken, *Jewel*, and the Evidence, *James Norril*.

Q. What then?

Hill. Then we, with the Conſtable, took them to the *Compter*.

Q. After they were taken, was you ſent for?

Hill. After they were taken, they were brought up to my Shop, and I ſent for the Conſtable, and took them to the *Compter*.

Q. What paſs'd when they came to your Shop?

Hill. They ſaid nothing all that Time. About Seven or Eight o'Clock the Conſtable and another Neighbour went to them to the *Compter*, to whom they confeſs'd ſeveral Things. About Eight o'Clock *Jewel* ſaid if they ſent for me, he would tell me what they had done with my Cup and Tankard.

Q. And what did he tell you?

Hill. He told me he had ſold the Cup and Tankard to a *Jew* in *Houndſditch* (oppoſite the *Gully-hole*) for four Guineas and a half.

Priſoner. My Lord, pleaſe to aſk him whether he minds the *Jew*'s Name.

Hill. He nam'd the *Jew* to me, and his Name was *Cordozo*.

Q. (*to James Norril.*) What have you to ſay againſt the Priſoner at the Bar?

Norril. Pleaſe you, my Lord, I work'd at a Houſe in *Barnaby-Street*, where the Priſoner lived before he was taken up. When *Philip Jewel* came home from Tranſportation, his Creature that he lived with lodg'd there; ſo he enquired her out, and came there; he aſk'd me to go out with him, which I did. I was acquainted with him about a Week.

Q. Where did you become acquainted with him?

Norril. At this Lodging-Houſe in *Kent-Street*.

Q. Did you do any thing together?

Norril. We went up *Kent-Street* Road. We came afterwards into *Swithin's-Lane*; I had a Jews-Harp in my Hand, and he ſaw theſe Things in the Grate;

Grate; he aſk'd me to lend him the Jews-Harp, and he took it and broke about five of the Wires of the Grate with this Jews-Harp.

Q. What did you ſee?

Norril. My Lord, I was coming up *Swithin's-Lane*, ſo he ſtopt; I did not know what he was about 'till he took the Silver Cup and Tankard, and he put them under his Coat.

Q. What did you do in the mean time?

Norril. I ſtood over the Way; I did not know he was breaking the Grate,

Q. What was the Intent of you two walking together?

Norril. My Lord, I have no Friends at all; and I lodging at this Houſe, he aſk'd me to go out to take a Walk, and drink Part of a Pint of Beer, and we happened to go to *Swithin's-Lane*, where he ſaw this Grate with the Plate in it.

Q. Was any body in the Shop?

Norril. Yes, my Lord, that Gentleman, Mr. *Hill.*

Q. Was any body in the Shop beſides.

Norril. My Lord, I can't tell.

Q. How long was he about this?

Norril. About Half a Quarter of an Hour.

Q. What did he do then?

Norril. He ty'd it up in the Flap of his Coat, and carried it into *Houndſditch* to one *Aaron Cordozo*, and ſold both for about 4 l. 14 s.

Q. What did he do with the Money; had you Part of it?

Norril. About a Guinea, my Lord.

Q. Where did you go after that?

Norril. He would come paſt the ſame Door, Mr. *Hill's* Door in *Swithin's-Lane*; and when we got almoſt to the End of the Street there were two or three crying after us, Stop Thief! and they laid hold of us.

Q. Did they take you?

Norril. Yes, my Lord, they took us both.

Q. What then?

Norril. Then they carried us to this Gentleman's Shop, and then to the *Compter*, and the next Morning before the Alderman.

Q. (*to the Priſoner.*) Would you aſk him any Queſtion?

Priſoner. Aſk him whether he ſtood on the other Side of the Way when I did this Fact.

Court. He has ſworn he did.

Q. (*to Edward Gregory, Conſtable.*) What do you know of this Affair?

Gregory. On the 15th of *September*, on *Monday*, I think, about Four o'Clock in the Afternoon, I was ſent for to Mr. *Hill's* Shop, to take Charge of the Priſoner at the Bar and this *James Norril*; I took them to the *Compter*, and I obſerved that they were obſtinate, and I deſired they might be kept apart, not to converſe together. I went in the Evening with a Neighbour to the *Compter*; I thought it was proper to go and ſee them; and I went to this young one that is turn'd Evidence.

Q. What Time of the Night did you go to them?

Gregory. I believe it was about Seven or Eight. I aſk'd ſeveral Queſtions about this Fact, but he knew nothing of it he ſaid. In about Half an Hour there came a Woman crying to ſee him (the Priſoner at the Bar;) ſhe told me her Name was *Alice Beckſtone*; ſhe ſaid, he ſhould ſave his Neck by turning Evidence. *Jewel*, the Priſoner at the Bar, ſaid, he and this *James Norril* went to Mr. *Hill's* Shop, they broke open the Grate, and took out the Tankard and the Cup.

Q. And what elſe did they ſay?

Gregory. That they ſold it for four Guineas and a Half to a Jew; I don't remember that he knew his Name, but the young one ſaid his Name was *Cordozo*, who lived over-againſt the Gully-Hole in *Houndſditch.*

Q. Did he ſay any thing elſe?

Gregory. When he had made this Confeſſion, I ſaid I muſt ſearch him; he ſaid, if I did, I ſhould find nothing but a Jews-Harp. He ſaid, in breaking the Wires of the Grate, he broke a Piece of the Jews-Harp, and he ſaid, I believe if you go to look for it, you will find it there: He broke a Piece off, and he believed it fell down in the Street, at the Corner of the Shop Window; he believed that we might find it there, if we went to look for it; he ſaid the Jews-Harp belong'd to his Companion, *James Norril.* The next Morning a Neighbour of Mr. *Hill's* and mine went to look for the Piece of the Jews-Harp, and found it.

Q. (*to William Walter.*) What have you to ſay with reſpect to this Fact againſt the Priſoner?

Walter. My Lord, I went along with the Conſtable, about Seven o'Clock, to the *Compter*, to hear if we could find my Neighbour's Plate. About Seven o'Clock the Priſoner at the Bar began to confeſs ſeveral Robberies; at length he confeſs'd about the Tankard and Cup; he ſaid he would not ſay any thing 'till the right Owner of the Goods was there; and I immediately ſent for Mr. *Hill.*

Q. Well, did Mr. *Hill* come?

Walter. Yes, my Lord, he came preſently. As ſoon as Mr. *Hill* came into the Room, the Priſoner

ſaid

ſaid, that's the Gentleman that we took the Cup and Tankard from; he was ſitting behind the Compter with his Spectacles on, ſelling ſome Rings to a Gentlewoman.

Q. What then?

Walter. I aſk'd him, my Lord, what he broke the Wires of the Grate with; he told me with a Jews-Harp, and ſaid, if you look under the Grate where I broke the Wires off, there you will find a Piece of the Jews-Harp.

Q. Did you at any Time go to look for it?

Walter. On the 16th in the Morning, about Six o'Clock, I got up and look'd under the Grate, and here's the Piece of the Jews-Harp which I found.

[The Jews-Harp and Piece were produced in Court, and they exactly tallied.]

Q. Who did he give the Jews-Harp to when he took it out of his Pocket?

Walter. The Conſtable had it, I ſaw him take it out of his Pocket. I went to Sir *Edward Bellamy*, and ſhew'd him this Jews-Harp, and he ſaid it was a very material Thing, I ſhould be careful of it.

Q. (*to the Priſoner.*) What have you to ſay with reſpect to this Fact?

Priſoner. My Lord, I will throw myſelf up to the Mercy of the Court.

Q. Have you any Witneſs?

Priſoner. No. Guilty, **Death.**

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357. **Mary Hope** of *Milk-Street*, the 5th of *October*, being big with a certain Male Baſtard Child, the ſaid Male Child from her Body was brought forth alive, and the ſaid *Mary Hope* not having the Fear of God before her Eyes, but being moved by the Inſtigation of the Devil, the aforeſaid Baſtard ſo alive, feloniouſly, willfully, and aforethought, did make an Aſſault upon, and with a certain Linnen Apron, into a certain Wooden Box, feloniouſly and willfully, by wrapping and folding the ſaid Linnen Apron, the ſaid Baſtard Child did put, by which it was ſo ſuffocated that it died.

Q. (*to William Aget.*) Sir, what do you know of this Matter?

Aget. The Priſoner at the Bar was my Servant.

Q. Where do you live?

Aget. In *Milk-Street*. The Priſoner at the Bar was my Servant; ſhe had lived with me about four or five Months; and on *Sunday* the 5th of this Inſtant *October* ſhe came down Stairs with her Fellow Servant in the Morning, but finding herſelf indiſpoſed, went up again.

Q. Was you by when ſhe came down?

Aget. No, my Lord, I was not up. When I came down, this was the Relation her Fellow Servant gave me.

Court. What her Fellow Servant told you is nothing; did you ſee her?

Age. I did not ſee her 'till the Afternoon; but about Nine o'Clock in the Morning, I heard her cry out; ſo I ſent her Fellow Servant up to ſee what ail'd her; ſhe brought me Word ſhe was not well, and deſir'd to be indulged to lie abed. She would not ſuffer her Fellow Servant to ſtay in the Room as little Time as poſſible; ſhe bid her go about her Buſineſs, that ſhe was better. This was what her Fellow Servant told me. My Duty call'd me to Church; when I came from that, I enquired how ſhe did.

Q. Had you no Suſpicion?

Aget. Yes, Sir, that Cry gave me a Suſpicion. My Servant told me ſhe was much better, and intended to come down in the Afternoon. In the Afternoon ſhe did come down, about Five o'Clock; I ſaw her do her Buſineſs, light a Fire, *&c.* I then deſired my Wife and the Witneſs, the other Servant, to go up into her Room; there they ſaw what they thought was ſufficient to convince them that there had been a Labour or ſomething like it.

Court. You did not go up into her Room?

Agit. I did not then. When they came to me, they ſaid they were very ſure there was a Labour, or ſomething like it had been in that Room. She ſtrongly denied it. When nothing could be found in the Room they look'd in every Place where any Thing might be conceal'd: My Wife inſiſted upon opening her Box; ſhe made ſome Difficulty and could not find the Key; upon which I told her, her Miſtreſs ſhould have Satisfaction, and if the Key was not be found I would break the Box open; accordingly I took her fellow Servant up with me and did break it open, and there, to my great Surprize, was a dead Child.

Court. You ſaw it?

Aget. I ſaw it.

Q. Did you look upon the Child, was there any Marks of Violence?

Aget. I ſaw none. I ſent for the Conſtable and charg'd him with her.

Q. (*to the Priſoner*) Would you aſk Mr. *Aget* any Queſtions?

Priſoner. No.

Q. (*to Dorothy Robinſon*) Was you fellow Servant with the Priſoner? Do you live at Mr. *Aget*'s?

Robinſon. Yes Sir.

Court. Give an Account of what you know of the Matter. Do you remember when ſhe cry'd out?

Robinſon. It was about Nine o'Clock; and I went up.

Q. What Condition was ſhe in?

Robinſon. She complain'd of being very ill, but did not tell me her Diſtemper.

Q. Had you any Suſpicion of her being in Labour?

Robinſon. Yes, we thought ſo by her Screeking out, but ſhe deny'd it, and it went over.

Q. Did ſhe deſire you to go down?

Robinſon. Yes Sir, ſhe deſired me to go down, and I told my Miſtreſs, and my Miſtreſs went up and examin'd her.

Q. Was you with your Miſtreſs then?

Robinſon. No Sir, I was below.

Q. Was you up any more?

Robinſon. Yes, I went up ſeveral Times in the Day, and I aſk'd her how ſhe did; and ſhe ſaid ſhe was better.

Q. Did ſhe always tell you that ſhe was better?

Robinſon. Yes, 'till ſhe came down; ſhe ſaid ſhe would come down in the Afternoon.

Q. What did ſhe ſay when ſhe came down?

Robinſon. She ſaid ſhe was much better.

Q. Did you go up Stairs with your Maſter and Miſtreſs when the Child was found in the Box?

Robinſon. Yes. My Miſtreſs told her ſhe was ſure ſhe had a Child, and ſhe would examine; ſo they broke open the Box and found the Child.

Q. What was the Child, Male or Female?

Robinſon. Male.

Q. Did the Child ſeem to have any Marks of Violence?

Robinſon. No Sir, we could not perceive any Marks of Violence about the Child.

Q. Had ſhe any Childbed Linnen ready?

Robinſon. We examin'd her Clothes and there was none to be found.

Q. Are you ſkilful enough to know whether ſhe went her full Time?

Robinſon. My Lord here is the Midwife.

Q. (*to Mary Jeyne*) Are you a Midwife?

Jeyne. Yes, my Lord.

Q. What do you know of this Matter?

Jeyne. I was ſent for on *Monday* was ſe'nnight. She was deliver'd the *Sunday* before; I was ſent for to know if ſhe was ſafely deliver'd. I did not examine her, I examin'd other Matters, and found ſhe was ſafely deliver'd.

Q. Did you ſee the Child?

Jeyne. Yes my Lord.

Q. Did you ſee any Marks of Violence on the Child? Was it of its full Time.

Jeyne. I believe it was, or very nigh, my Lord.

Court. You that are a ſkilful Woman, do you think the Child was born dead, or came to any violent Death afterwards?

Jeyne. I ſaw no Marks of Violence: 'Tis impoſſible for any Body to ſay it was born alive; for want of Help in Time it might be ſuffocated, or another Way, thro' the Naval String, or otherwiſe, *&c.* I turn'd it before them all, and there were no Marks of Violence found.

Q. Did you obſerve any Thing elſe.

Jeyne. The Child look'd juſt like another Child that ſhould die a natural Death.

Richard Wheatland. About Eight o'Clock on *Sunday* Evening, the 5th Inſtant, Mr. *Aget* came to me, ſeemingly in a very great Fright, he ſaid I muſt go along with him.

Q. What are you, a Conſtable?

Wheatland. Yes. As we were going down the Street together, he ſaid his Maid was deliver'd of a Child, and he believ'd it was murder'd.

Q. What then?

Wheatland. I went up with Mr. *Aget* and his Wife into the Garret, where I ſaw the Woman ſitting on the Bed, crying prodigiouſly; I ſaid to her, good Woman are you married? ſhe ſaid yes ſhe was. I ſays, what Proviſion have you made for the Birth of this Child? none at all ſaid ſhe; upon which I ſaid to her, it was ſurpriſing to me that a married Woman ſhould ſuffer herſelf to bring a Child into the World and have nothing to put it in; tell me the Truth I ſays, are you married or not? ſhe crying ſtill, ſaid at laſt ſhe was not; I then aſk'd her again, have you nothing at all made for this Child, no Linnen whatſoever? none at all ſhe ſaid: I aſk'd her who was the Father of the Child; ſhe ſaid a Sailor. I aſk'd her what was become of him, ſhe ſaid he was gone to Sea: I afterwards ſaw the Child, my Lord, in this check'd Linnen Apron. Mr. *Aget* gave me charge to take her in a Coach to the *Compter*, which I did, and went with her myſelf, my Lord, in the Coach, which Mr. *Aget* paid for; I told the Deputy Keeper of the *Compter* to put her up warm, for ſhe was deliver'd that Morning: She declared that the Child was born dead, that is all that I know. Acquitted.

358. **Iſaac Thirn**, or **Thorn**, was indicted for ſtealing certain written Books of Accounts, the Goods of *Henry Mountague*, Eſq; and ſeveral Perſons unknown, *&c.*

This Indictment was fully prov'd againſt the Priſoner, and the Court ſet forth to him the aggravating Circumſtances of the Crime, that as he ſold theſe to Cheeſemongers, *&c.* for Waſte Paper, in order to get a few Shillings, it might be doing ſome Thouſand Pounds Damage. Guilty.

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359. **Jane Ellis** was indicted for ſtealing one Linnen Bed Quilt, Value 30 s. the Goods of *Edward Dicks* and *Benjamin Mee*, of *Fenchurch-Street.*

The Proſecutor ſaw the Priſoner come into his Houſe; it was at Noon-Day; he thought ſhe might have ſome Buſineſs with his Maid-Servant. The Maid having a Glimpſe of her as ſhe was going down, deſir'd ſhe might be ſtopt, which they did; when ſhe had gone a few Yards from the Houſe; as they purſued her, ſhe dropp'd the Quilt. The Priſoner declared it was the firſt Fact; that ſhe had a ſick Huſband and a Child, and was like to be ſtarv'd, but it was reply'd by the Court, it was a very bold Beginning to do it at Noon-Day. Guilty.

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360. **John Banniſter** was indicted for ſtealing one Oil Stone, two Chiſſels, Value 4 d. one Axe, Value 2 d. one Pair of Compaſſes, Value 2 d. the Goods of *Thomas Bradly.* Guilty.

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361. **Elizabeth Baſſil**, Widow, was indicted for ſtealing on the 15th of *September*, one Pair of Sheets, Value 2 s. 6 d. one Copper Pottage Pot, one Pair of Tongs, a Tea Kettle, and two Pewter Plates, the Goods and Chattles of *Elizabeth Stephenſon.* Guilty.

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362. **Sarah Carr** was indicted for ſtealing one Linnen Gown, Value 3 s. one Velvet Mantelet, Value 3 s. the Goods of *Thomas James.*

The Priſoner lodged at the next Houſe to the Proſecutor's, and from the Leads open'd the Saſh, and took theſe Things out of the Cloſet; but as it was believ'd to be the firſt Fact, and ſhe had a general good Character, and Perſons of Reputation appearing for her, who propos'd to take her into their Service, ſhe was only ordered to be whipped.

363. **James Morrit** was indicted for ſtealing a Seat belonging to a Sedan Chair, the Goods of *Thomas Fitzpatrick*; but the Proſecutor not appearing, he was Acquitted.

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364. **James Carnew** was indicted for ſtealing an Iron Crank, and a Leather Wheel, *&c.* the Goods of *George Gardner.* Guilty.

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365. **Suſannah Reed** was indicted for ſtealing one Pair of Flaxen Sheets, Value 4 s. 6 d. the Goods of *Robert Grayham*, the 8th of *April.* Guilty.

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366 **Mary Bundy** wat indicted for ſtealing, on the 9th of *September*, two Shirts, Value 2 s. one Woollen Waiſtcoat, and one Pair of Worſtead Stockings, Value 2 d. the Goods of *Robert Green.*

It appear'd this *Robert Green* is now a Patient in *Bedlam*; this *Mary Bundy* being intimate with him, and believing his Maſter had put him in without a Cauſe, lent him ſome of her Cloaths to make his Eſcape, and ſhe declared ſhe had theſe Things to waſh for him. The Priſoner's Maſter, and ſeveral others appeared for her, and believed it was not done with a Deſign to ſteal them, for they were found upon her, and none of them pawn'd, *&c.* ſhe was Acqnitted.

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367 **Iſabella Muckle**, on the 13th Day of *October*, on the King's Highway, upon *Mary Rivers*, did make an Aſſault, and put her in Corporal Fear and Danger of her Life, and robb'd her of 18 d. in Money, and a Handkerchief, the Goods of the ſaid *Mary Rivers.*

The Proſecutor, *Rivers*, declar'd ſhe was going by *Charing-Croſs*, ſeeking after a Lodging, between Eleven and Twelve o'Clock at Night; there ſhe met the Priſoner and five or ſix other Women, *&c.* but it appearing that ſhe herſelf was but of a doubtful Character, the Priſoner was acquitted.

368, 369. **Mary**, the Wife of *John*, **Charles**, and **John Pickart**, otherwiſe **Pickard**, were indicted for ſtealing 44 Pounds Weight of Sugar, Value 16 s. from certain Perſons unknown; and that *Mary*, the Wife of *John Charles*, did receive the

the Goods and Chattels aforeſaid, knowing them to be felonioufly ſtolen and taken away.

The Witneſs, *William Robertſon*, a Waterman's Boy, told his Story ſo lamely, and with ſome Contradictions, that the Court was conſtrained to believe that he did it for the Reward that the Merchants had agreed to give, to put a Stop to that very prevailing Practice of pilfering Goods on board Veſſels and Lighters, *&c.*

The Priſoner, *Pickart*, by the Teſtimony of many Witneſſes, appear'd to be a very ſober, induſtrious Man, and one of a very fair Character. Both Acquitted.

370. **William Newel** was indicted for ſtealing one Copper Pot, Value 6 s. two Pewter Plates, two Copper Lids, *&c.* the Goods of *John Stray*, of *Wapping-Dock*. Guilty.

371, 372. **Margaret Moor** and **Elizabeth Wheatly** were indicted for ſtealing, on the 23d of *December*, an Iron-back Stove-Grate, three Pewter Plates, value 1 s. 6 d. and a Linnen Sheet, value 1 s. 6 d. the Goods of *Joſeph Rickman*.

Margaret Moor was acquitted, and *Elizabeth Wheatly* found Guilty, Tranſportation.

373. **Anne Andrews**, Widow, indicted for ſtealing, on the 15th of *September*, a Copper Tea-Kettle, value 2 s. 6 d. the Goods of *John Cook*, in *Bloomsbury-Market*.

Some credible Witneſſes that appeared for the Priſoner declared, that ſhe had lived very handſomly, but was greatly reduced; they ſaid ſhe had not laid on a Bed for a Fortnight, was almoſt ſtarv'd, and verily believed it was the firſt Fact, committed out of pure Neceſſity.

Two Gentlemen that appeared for her ſaid, if ſhe had made her Caſe known to them ſhe ſhould never have wanted a Meal's Meat; and one of them offer'd to take her into his Houſe. Guilty.

374. **Prudence Midlemore** was indicted for ſtealing, on the 2d of *June*, a Looking-Glaſs, value 3 s. a Pair of Linnen Sheets, value 5 s. a Silver Tea-Spoon, value 1 s. and two Linnen Table-Cloths; the Goods of *Dorothy Roberts*, Widow, in *Old Boſwell-Court*. But the Fact not plainly appearing ſhe was Acquitted.

375. **Suſannah Gray** was indicted for ſtealing, on the 25th of *Auguſt*, a Feather-Bed, value 5 s. a Bolſter, value 2 s, a Blanket, value 1 s. two Copper Pots, value 2 s. and eight Pewter Plates, value 8 s. the Goods of *John Kelley*, Eſq;

The Proſecutor not appearing ſhe was Acquitted.

376. **William Crocket** was indicted for ſtealing, on the 7th of *September*, a Pair of Silver Shoe-Buckles, value 5 s. and a Diamond Ring; the Goods of *Mary Mellam*, of *Great Ruſſel-Street*, *Bloomſbury*.

The Priſoner was carry'd to the Proſecutor's Houſe, by an Acquaintance, to dine, and taking down a Bible from the Head of the Bed, a little Box, with theſe Things in it, was thrown down, out of which Box the Priſoner took an Opportunity to ſteal the Things, and then made an Excuſe to go out for a Half-penny worth of Tobacco; but return'd no more. His Friend that took him to the Houſe made Enquiry after him, and caught him in *Houndſditch* a few Days after.

A Perſon who appear'd for him, ſaid he came of a very good Family in *Scotland*, and he believ'd he did it merely for Want. Guilty, Tranſportation.

377. **Jacob Holloway** was indicted for ſtealing ſeven ſilk Handkerchiefs, on the 7th of *September*, the Goods of *Katherine Quantem*, in *Dorſet-Street*, *Spital-Fields*.

[Ths Priſoner came into the Proſecutor's Shop to cheapen a Silk Handkerchief, and pull'd out an handful of Money and clapped it down on the Compter, the Proſecutor aſked what that was for, and he ſwore bitterly, and ſaid that was honeſt; and immediately while ſhe was looking after what he wanted, he took theſe and run out; but a Neighbour hearing of the Robbery, ſaw the Priſoner at a Publick-Houſe and ſeiz'd him. The Proſecutor declared ſhe had been robb'd eleven Times]

The Priſoner is a Seafaring Fellow, very bold and impudent. Guilty.

378. **Mary Jones** was indicted for ſtealing a Folio Common Prayer Book value 2 s. 6 d. the Goods of the Pariſhioners of St. *Andrew*'s, the 29th of *September*. Acquitted.

379. **Mary Toaſten** was indicted for ſtealing a Silver Watch, the Goods of *John Jones*.

[This *Mary Toaſten* lived as a Servant with *Jones*, ſhe came into his Chamber in the Morning, when he was in Bed, and took his Watch from the Table, went out, and never returned 'till he found her and had her committed. Guilty.

380. **Hannah Robinſon** was indicted for ſtealing a green Bed Quilt, three Pair of Stockings, a Feather Pillow, *&c.* the Goods of *Charles Carr*, the 14th of *September*. Guilty.

The

he Trials being ended, the Court proceeded to give Judgment as follows.

Receiv'd Sentence of **De** th 4.

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Next enſuing Seſſions to begin,
On *Wedneſday*, *December* 3, at *Guildhall*.
On *Friday*, *December* 5, at the *Old Baily*.

PERSONS Tried at the OLD BAILY

IN THE

Mayoralty of the Right Honourable Sir *Richard Hoare*, Knt.

N. B. The Figures refer to the Number of the Trial.

Thoſe mark'd D Receiv'd Sentence of Death.
T Were order'd for Tranſportation.
B Were Branded.
P Stood in the Pillory.
W Were Whipp'd.
M Were convicted of Miſdemeanors.
† Were charg'd with Capital Offences.
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